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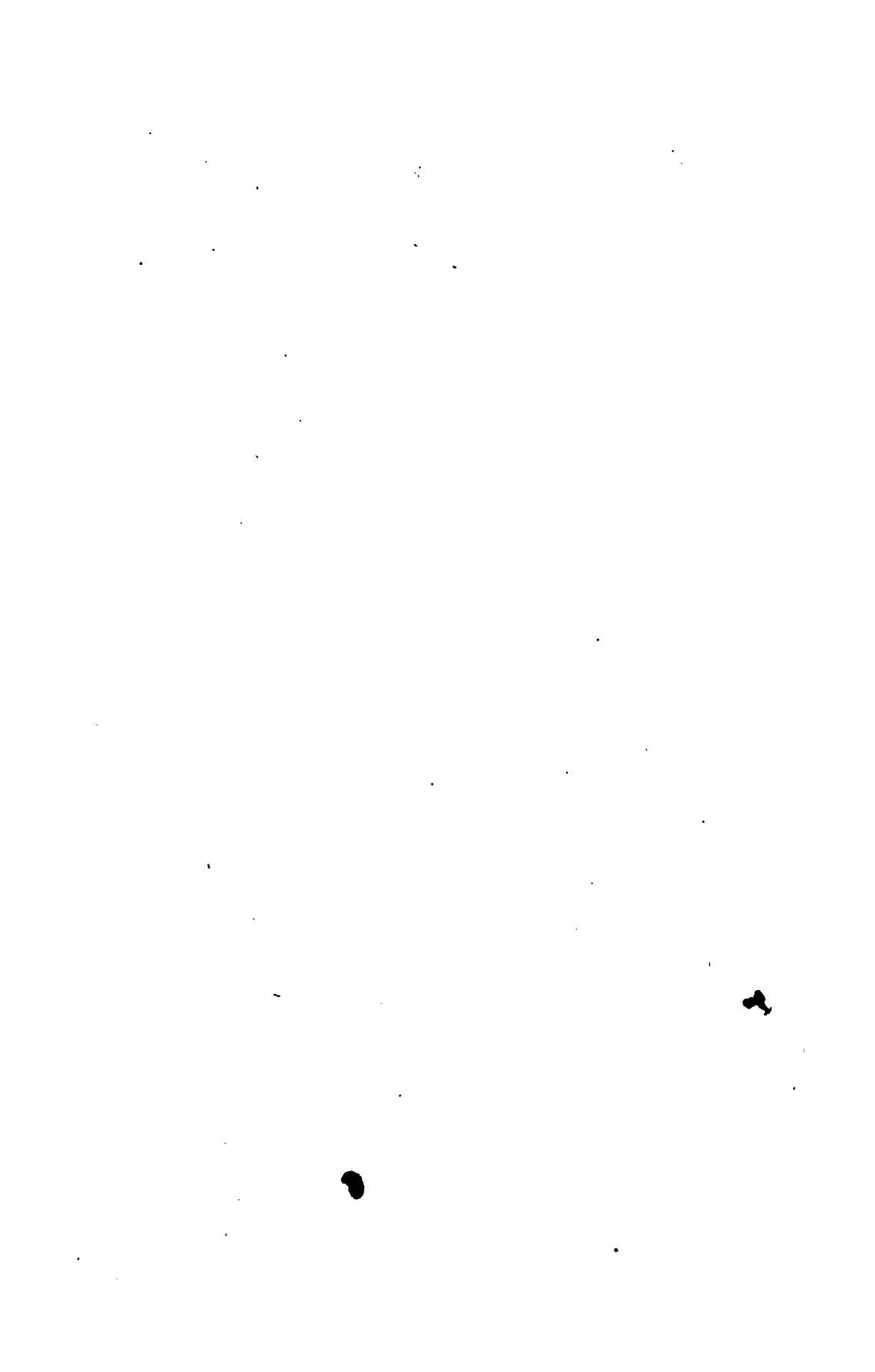
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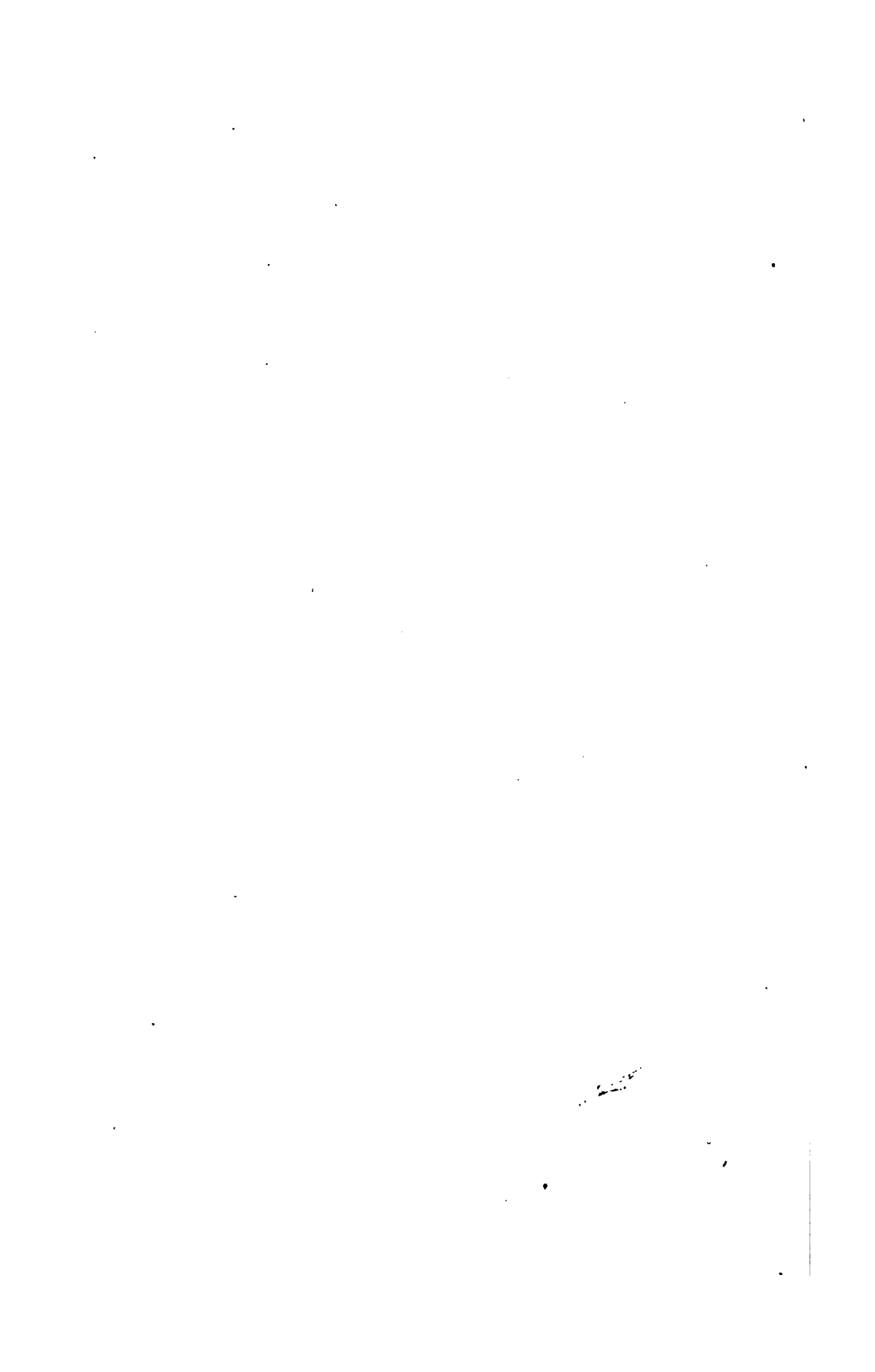
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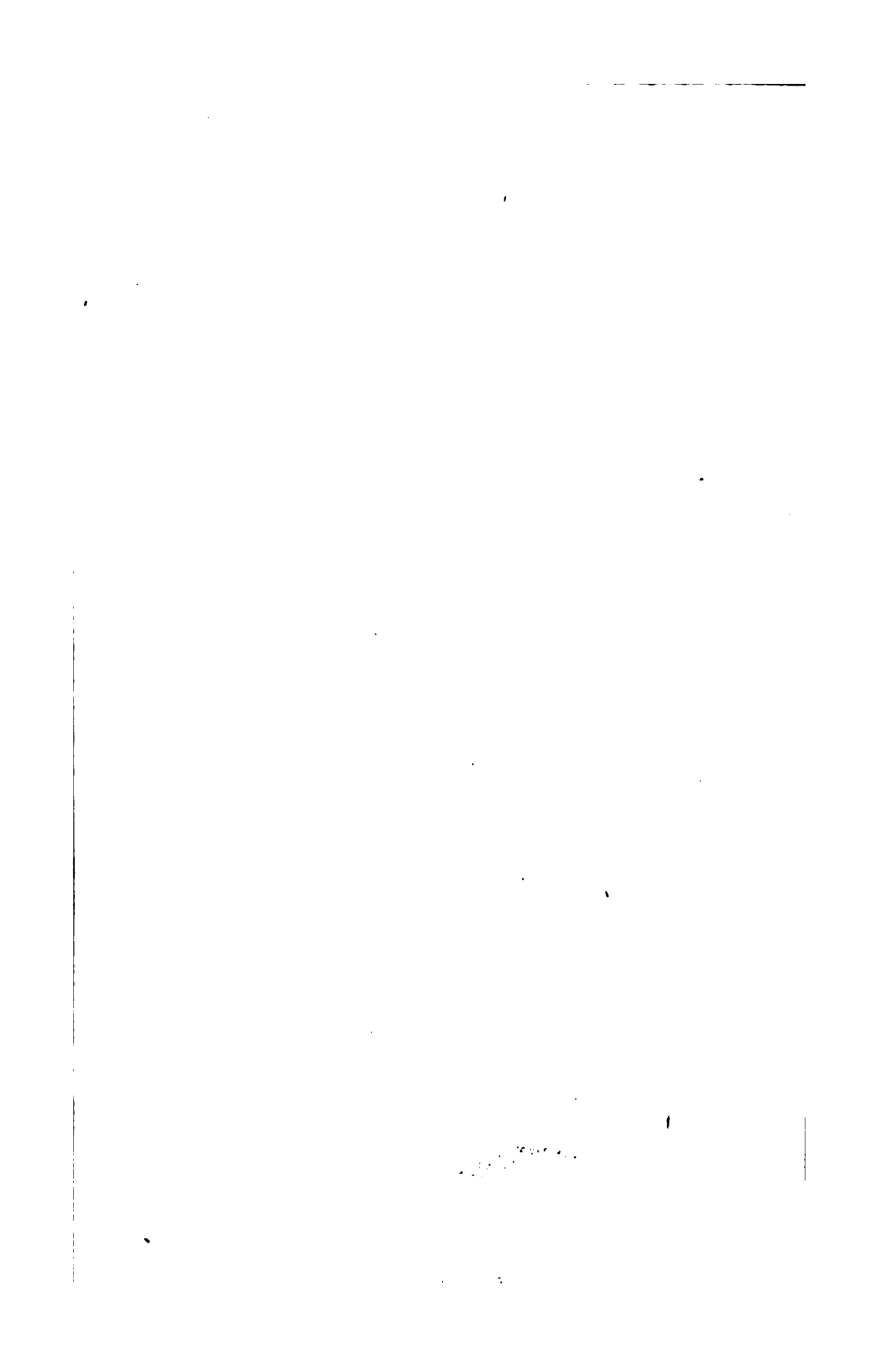
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A
DISSERTATION
ON
R H E T O R I C,

TRANSLATED FROM THE GREEK OF

Aristotle.

BY
DANIEL MICHAEL CRIMMIN, ESQ.

LATE OF TRINITY COLLEGE, DUBLIN;
AND STUDENT OF THE MIDDLE TEMPLE.

THE SECOND EDITION,
CORRECTED AND ENLARGED.

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The author's absence from this country during the progress of the Work through the Press, has given rise to the following

ERRATA.

In pag 51, line 4 from the bottom, *for* "legislature" *read* "legislator."

In pag 52, line 12 from the top, between the words "sovereign good" and "felicity," *insert* "or."

In pag 59, line 13 from the top, place the word "ἐνλαμπρυνόν" before the word "and."

In pag 80, line 3 from the bottom, omit the first word "so," and in its place *read* "relatively."

In pag 91, line 13 from the bottom, instead of "for," *read* "as."

In pag 134, line 3 from the bottom, a comma should follow the word "impunity."

In pag 161, last line, *for* "fortune" *read* "torture."

In pag 167, line 4 from the bottom, between the words "accused if" *insert* "namely."

In pag 241, line 10 from the top, *for* "or" *read* "of action."

In pag 266, line 3 from the bottom, *read* "of" twice, instead of "in;" and in the line below, place a comma after the word "so" instead of a semicolon.

In pag 271, line 6 from the bottom, instead of the word "for," *read* "and."

In pag 289, line 10 from the bottom, *for* the word "indication" *read* "induction."

In pag 303, line 9 from the top, place a note of interrogation after the word "defence."

In pag 318, about the middle, instead of "Thesalicus" *read* "Thessalicus."

In pags 322, 325, 327, 331, 339, *for* "Theodectus" *read* "Theodectes."

In pag 369, line 11 from the top, *for* "motive" *read* "mode."

In pag 371, line 6 from the bottom, after the word "diminutives," *read* "of the respective terms."

In pag 388, line 5 from the top, *for* "string" *read* "strung."

In pag 403, *for* "Pitolaus" *read* "Pitholaus."

In pag 409, *for* "Septineus" *read* "Leptineus."

In pag 455, line 4 from the top, *for* "Æneas" *read* "Cænetis."

In same page, line 16 from the bottom, *for* "discoverer" *read* "discourse."

In pag 463, *for* "Epimonides" *read* "Epimenides."

TO THE
University of Cambridge,
WITH ALL THE RESPECT
WHICH THE LEARNING
OF
THAT ILLUSTRIOUS BODY
MUST INSPIRE,
THE FOLLOWING SHEETS
ARE MOST HUMBLY DEDICATED
BY
THE TRANSLATOR.

ADVERTISEMENT
TO
THE SECOND EDITION.

THE Author has merely found it expedient to correct a few typographical errors, which had escaped his notice in the course of this Work; but he has added rather a copious Index, which he trusts will increase, in a very material degree, its general utility.



TRANSLATOR'S PREFACE.

IN ushering to the world this treatise of the learned *Stagyrite*, I shall confess the difficulties which I have encountered, and the anxiety which I still feel as to its reception. That it is the greatest of all that great master's productions, is an assertion which I do not *singly* hazard. The learned and laborious *Franciscus Philelphus* terms it "*Rhetorica illustrissimi philosophorum Aristotelis utilissima*;" and this epithet has been strongly borne out by the following testimony of the celebrated *Boileau Despreaux*, in his preface to a translation of *Longinus* upon the Sublime: "C'est une ouvrage d'une extrême utilité; & pour moi, j'avoue franchement que sa lecture m'a plus profité que tout ce qui j'ai jamais lu en ma vie."

So important has this work appeared in the eyes of the learned, during the fifteenth century, that it employed, with incessant emulation, the pens of several most distinguished scholars, to produce a

perfect version of it. The style of the original presented an intrinsic obstacle to the accomplishment of that object in several instances. Many of the translators, by too literal an attention to the context, increased the obscurity, in which *Aristotle's* quaint and methodical expression involves the meaning of several passages ; and it remained for those alone who built their labours upon the ingenious Commentary of *Petrus Victorius*, to transmit a close and correct version of this famous treatise to posterity. In this class of the Latin translators, *Riccoboni* appeared to me most faithfully precise ; and consequently, whenever I entertained any hesitation upon the original, I combined his reference with that of M. *Cassandre*, an accomplished scholar of the seventeenth century, who gave to the world a *French* translation of this work, which stands eminently high in the admiration of *D'Ablancourt*. His arrangement is so familiar and connected, that I have adopted it, in preference to that of *Muretus* or *Riccoboni*. The *Greek* edition, which formed the basis of the present version (which I believe is the only one in the *English* language), was that of *Duval*, *Paris*, 1619 ; the readings of which are allowed to be

better than those of any other extant. Many of the rhetoricians, posterior to the time in which *Aristotle* wrote, have adopted, in their essays, the fundamental rules of the art, which he has laid down. *Quintilian's* triple division of the orator's duty perfectly corresponds with that of our author—"Tria sunt autem quæ præstare debet orator ut doceat, moneat, delectet."—*Quintil. Rhet. b. iii. p. 47.* And *Cicero*, in his "*Rhetorica ad C. Herennium*," derives his construction of artificial proofs, very evidently from the *Aristotelian* system; "Omnis igitur probatio artificialis constat aut signis, aut argumentis, aut exemplis." The same writer, in his two books, "*De Inventione Rhetoricâ*," has bottomed himself upon the *Places* of our author's treatise. There is, however, this difference between the *Rhetoric of Aristotle* and that of every other writer upon the subject, down to *Blair*; that the former universally combines, with the art, the great elementary principles of human action, thus making it an *Ethico-Rhetorical* treatise, while the others pay too much attention to the figurative ornaments of diction alone.

I feel not the least hesitation in saying, that, as an University Class-book, the present work would be most efficacious in imprinting upon the student's understanding those abstract principles of *Locke* and other logical writers, which, in several cases, leave only a superficial trace behind them. The present treatise, in like manner, has the incalculable advantage of being specifically directed to the three cardinal points of professional avocation. Not a principle of human thought, is there, which cannot be comprised under what *Aristotle* terms the *Placés* of the three Rhetorical Divisions; and it is worthy of remark, that, at the special instance of several great men in the Macedonian court, this copious philosopher embodied the general substance of this extended work, in a short tract, which he addressed to his illustrious pupil, *Alexander* (*Περὶ ῥητορικῆς πρὸς Ἀλεξάνδρον*).

Little more need be said in order to impress the reputation in which the Aristotelian Rhetoric has been held. It must, however, be observed, that our author generally supposes some elementary reading in those to whom he addresses himself, as he makes constant reference to the Art of Logic in his exemplifications. For this reason it

is, that I esteem the work as one most peculiarly calculated to produce confirmed impressions of those collegiate studies, which are considered abstract, merely for the want of a standard whereby to conciliate them to the understanding. If I succeed in compassing that object, it will be because I have myself experienced the tedium of accommodating the youthful mind, without the intervention of *truisms*, to the occult doctrines of speculative writers.

LONDON,
June 29th, 1811.

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A
DISSERTATION
UPON
R H E T O R I C.

BOOK I.

CHAP. I.

General PRELIMINARY.

THE art of rhetoric and dialectics * are so far related, as they both treat of subjects, which, being common, fall, as it were, under the knowledge of mankind in general, and are not contained within the limits of any particular science. Hence, no man is presumed ignorant of either, to the extent of examining or upholding, defending or refuting, any particular reason within his scope.

* By *dialectics*, Aristotle means that part of logic alone which treats of *probability*; and is, in fact, what is otherwise called *topics*: not but that he applies the word often to convey logic in general.

RHETORIC *is thus demonstrated to be an ART.*

For, if we allow the two sources of its successful application to be *casualty* and *habit*, we may equally concede the competency of any man to establish a *rule* whereby he may set chance at defiance, and *generally* succeed. Now, it is the province of *art* alone to assign such rules; and, therefore, the object to be attained by them must be itself an art.

In PROOF consists the principal Address of the Rhetorician.

And here I cannot be refuted upon the grounds of *omission* in those authors, who have treated the subject, more with reference to the several passions of the human heart, than those modes of argument (particularly *enthymem* *) so essential to the formation of proof. Passion, in point of fact, lies more at home with the person who adjudges, than the orator who enforces an appeal. If the former acted up to his duty in all matters touching justice; and were every government to be modelled upon the policy of the best-regulated republics, the advocates of an opinion contrary to mine, would find little room to dilate when they would speak in public.

This licentious habit of expatiating is theoretically reprobated, but I know of few places where the orator is expressly forbidden to travel out of

* This argumentative term is explained in progress.

his subject ; and even in Athens the prohibition extends but to the judgments of the Areopagus. The reasonable tendency of such a repression will appear, from the liability of a judge to be perverted, through the inculcation of passion, in any way affecting the object of his adjudication.

Add to this, that the principal gift of the *pleader* lies in plain demonstration, either respecting the *existence* or *agency* of his subject, negatively or affirmatively. But it is the business of the *judge alone* (wherever the legislature has not been explicit) to interpret the *consequence* or *import* in matter of justice. His instructions are not to flow from the advocate.

Indeed, I could wish that every law of wise establishment were so precise as to demarcate the minutest circumstance, in order to guard against excesses in this judicial privilege of construction. First, for *personal reasons* ; because it is not an easy matter, to provide men of meet ability to correspond with such a trust ; the capacity of legislative judgment being found, perhaps, generally in the proportion of two persons possessed, to a hundred incapable of it.—Secondly, *in respect to time* : for, an established law rests not dependent upon the instantaneous administration of any particular judgment, but upon the long and experienced observation of ages. And from this consideration arises the impracticability of com-

pliance, in deliberative assemblies, with partial and public interests at one and the same time. The last and most important reason is derived from the consideration of *precedent* or *similitude of circumstances*: because the *legislator* enacts not upon matters *particular*, nor with a view to persons *presently* interested; but for general purposes extending even to futurity. On the other hand, the *judge*, or the *debater*, takes cognizance but of particular facts, wherein they frequently find a concern with self-interest; often looking but through the medium of affection or hatred towards the *immediate persons*; and, consequently, passion draws a veil between them and the truth. In fine, I would leave to the judge this sole point of examination, namely—into the occurrence or probability of any matter before him, these being cases out of the power of the legislature to foresee. From what has been now said, it is clear, that real rhetoric has no concern in those modes of doctrine, which are frittered upon the manufacture of exordiums, narrations, and other divisions of a discourse. Such things tend to warp the mind of a judge, not showing where lies the artifice of a proof, which arises out of the cultivation of reason, assisted by enthymems.

Rhetoric may be divided into two practical branches—one *deliberative*; the other *advocative*. The former is more important, as it is more generally interesting in *politics*; the other being

simply confined to the investigation of clauses in plain and overt contracts.

No mention, however, of the former division has been made by rhetorical writers; while on the latter they have plentifully expended their rules and precepts. They well knew that a *council* gives little admission to trick or malice (which is not the case with a particular matter *at bar*), for a deliberative interest is common to each individual who debates it, every hearer judging for himself. Consequently simple demonstration of the truth is alone necessary. It is otherwise with the *pleader*, who must go further, and attempt to turn his auditors towards his side; while they, not being affected in their own interests, and falling before *self-complacency*, are easily induced to favour, and to neglect their duties as judges. In this respect is proved the utility of providing against oratorical expatiation. A deliberative body will instinctively guard against it.

The entire artifice of rhetoric consisting in proof, which is a species of demonstration most powerfully attained through that syllogistic argument called enthymem, comprehensively treated of in logic; it follows, that a good logician will easily make himself master of the object, possessing the means, as he does, through the other allied art. *Truth* * is the object of the direct

* Under this term, the author comprehends every thing which happens *of necessity*, and in an *uniform manner*. By *pro-*

sylogism, and *probability* that of the *enthymem*. Now the same faculty will lead a man to both, as people are apt to discover the truth (independent of absolute knowledge) in many matters, beside being naturally borne towards the knowledge of a thing, and an acquaintance with the certainty of it; and, in like manner, in drawing a simple conjecture, or discovering the *probability* of dubious matters, a man stands in need of no other address, or light, than those which lead him to an investigation and ultimate discovery of truth; in affairs of infallibility.

That rhetoric is of great utility, I believe no one will doubt, since its end is the *rendering of justice, and the inculcation of truth*. This sublime art is not doctrinal upon any thing contrary to either. Whenever a wrong judgment has been delivered, it results from the triumph of falsehood and injustice over truth—a victory which merits punishment, not praise. Moreover, this art is of such importance, that, though you may be

bability, he simply understands what happens but *ordinarily*. The two words are of extensive consideration in logic, embracing and sharing between them every thing which falls under the knowledge of that art. There is a reason, however, why the same faculty, which applies to the consideration of *truth*, should also apply to that of *probability*, namely—that there is no great difference between both; the only distinction is between *universal* and *frequent occurrence*; in other words, between *more* and *less*.

extremely learned, yet, in speaking to a certain class of persons, for the purpose of persuasion, it would be difficult, without rhetoric, to compass your design, by reason of the particular fashion and phrase which are necessary to the explication of science, but which it would be useless to direct to the apprehensions of the ignorant.

In order to be understood by, and to persuade such a description of people, recourse must be had to notions generally received, or terms of *common-place*, as has already been noticed in my book of TOPICS, speaking of the "manner befitting an address to the people." A third advantage derivable from rhetoric is, *its capability of persuading two contrary parties*, just as in logic it is requisite to know how to argue upon both sides of a question. But it is not really necessary that the art should *accomplish both ends*, for we ought never to persuade to what is bad; yet the matter is of consequence, so far as that a man should not be ignorant of the manner in which such dangerous persuasion may be resorted to, and that he may, at the same time, have it in his power to answer those who make use of it to the end of favouring injustice. Now, of all the arts, there are none, save rhetoric and logic, which profess the defence of two contrary sides in argument. It is not however to be understood, that the subject matter in these disputations should be equally probable on either side, since, defini-

tively speaking, *that which is true and deserving in itself, is most easy of proof, and most capable of persuading.* In fact, it would be ridiculous to imagine, that it were matter of reproach not to be enabled to derive assistance to one's self, from the exertions of the body; and that there would be none in the deprivation of help from those of speech—the use of the latter being much more particular to *man* from nature than that of the body. To say that rhetoric may be employed to noxious purposes if the possessor wish it, is making use of an objection which equally applies to all matters, however good and useful, with the exception of virtue. For example, the good or bad use of strength, health, riches, armour, &c. will constitute the good or evil which may result from their exercise.

We may now summarily conclude the use of this noble art, and that it has, equally with logic, no particular or determinate subject. In the next place, we may infer that the work of rhetoric is not directed towards *absolute persuasion*, but in *search of whatever may lead to it.* Herein it is in accordance with the several other arts. For instance, medicine holds not out the promise of infallible cure, but, as far as possible, a contribution towards the repair of health, the physician not relaxing in his endeavours to benefit the patient, upon the ground of health not returning so soon as he expected. Rhetoric, likewise, takes

into equal consideration *effectual* and *apparent* persuasion, as logic treats of the *true* and *apparent* syllogism. I say, that the *logician* works upon apparent syllogism, in order that it may not be considered as the province of the *sophist* alone, whose characteristic is not the knowledge of, or address in using arguments of similitude; but the object with which he sets out, is that of arguing with the intent of deceiving. Truly speaking, as to this point, logic and rhetoric differ, inasmuch as, in the latter art, the man who employs false arguments is considered an *orator* equally with him who makes use but of true ones. Now it is not so with logic, the true disciple of which attaches himself but to the art conjoined with *truth*; for the subtlety and evasion of the *sophist* are not comprehended in that character. But, to the subject from which we have diverged, and first to the definition of this art; progressively examining all its other parts as we go along.

CHAP. II.

DEFINITION OF RHETORIC.

“Rhetoric is an art, or faculty, which, upon every subject, considers the capability of persuasion.”

In this it is *peculiar*; for, no other art or faculty treats of any subject other than that within the immediate province of each, and consequently aims at conviction on those points alone. We shall exemplify *medicine*, which reasons and persuades only upon matters concerning the opposites, *health* and *disease*; *geometry*, upon the remarkable changes and differences to be met with in space; *arithmetic*, regarding numbers; and so on distinctively with the whole remaining series of arts and sciences. Rhetoric alone is general in its subject, and assumes a right to attempt conviction in any.

Of PROOF.

Rhetoric employs two kinds—one, artificial; the other, independent of art. By the latter I understand those which do not flow out of our industry, but which we find ready made to our convenience, as testimony, the torture, contracts, and such-like. Those I call artificial which we derive from self-ingenuity, or have produced by the rules of the art. Artificial proof may be again divided into three species:

The *first*, founded upon the manner, received morality, and virtuous character of the speaker.

The *second*, arising out of the disposition of the auditory, and through the preparation of their minds, which the orator has made use of.

The *third* springs out of the discourse itself,

namely—whether a *true* or *apparent* demonstration has been given to the subject.

AN ORATOR will persuade by the help of his mien and manner, provided he speaks in such wise as to render himself worthy of confidence. For virtue is ever possessed of that open credit, that we make more liberal allowance, and take less time to do it, in favour of the virtuous than the immoral; and this more particularly in matters of doubt, wherein our minds perceive no certain path of reason, on either side, for our direction.

In such a case, we entirely surrender, under confidence, to the person who addresses us. But it must be remarked, that this credit ought not simply to proceed from the prepossession of the auditory, but also from the address of the discourse. Nor should we regard some of those rhetorical writers, who, in point of that morality and probity, which should be effulgent in the language of the orator, maintain that it is absolutely of no avail in winning upon the mind: so far is this opinion from being correct, that there is no one avenue to persuasion more direct than what has been just recommended.

Conviction may be obtained *from an auditory*, with reference to them alone, because they may be led at the discretion of those passions which the discourse has excited. For, our judgments are varied by the contrary moods of hilarity or

depression, partiality or hatred. On this method of persuading, so much dwelt upon by rhetoricians, we shall more fully speak when we come to treat of the passions.

Finally, persuasion is obtained through the effect of the discourse either tending to prove that the subject is clearly true, or leaving it only so in appearance.

Artificial proof depending, then, upon these three points, he who would be master of them must apply to the study of three things, as follow : first, a knowledge in the making of syllogisms; secondly, a deep acquaintance with the manners and qualities of men; and, thirdly, the science of conducting the passions. For instance: in the latter, he should know the particular nature of each passion; where it differs from others; its origin, and the modes most likely to excite it. Thus it appears, not only that rhetoric is a germ and shoot of logic, but also of that part of *ethics* which may, with reason, be denominated *political*. Hence it is, that rhetoric, assuming a borrowed garment, often passes for *politics*; those who profess it, very frequently being led into the vanity of such assumption through pride, ignorance, or other human considerations. Having thus connected rhetoric with the mother art of logic, let us now speak of their power and relation individually.

Of EXAMPLE and ENTHYMEM, as related to
SYLLOGISM and INDUCTION,

The two latter are the modes (whether they be either true or apparent) of demonstrating proofs in logic; while in rhetoric, the same use is made of *example* as was made of *induction* in the other art, and of *enthymem* correspondent with that of *sylogism*. I have shown in my *Analytics*, that no *logical* demonstration can be made without the help of *sylogism* or *induction*. In rhetorical proof, the same necessity occurs of employing *example* and *enthymem*. Thus we see a strong reciprocity between each opposed to each, in their respective arts.

The difference between *example* and *induction* has been already shown in my *Topics*. When in *logic* a man wishes to prove a thing to be of a certain nature, and that, in order so to prove, he brings in a number of other matters in every respect similar to the one debated, his mode of proof is named *induction*. The *rhetorician* proceeds to the same end by *example*. So likewise in *logic*, when the disputant establishes certain fixed propositions, and by one necessary consequence comes to draw another proposition totally different from the preceding, merely because the preceding were established ones (it matters not whether *true* or *probable*); such a series is called *sylogism*. The same deduction is named *enthymem*.

mem., in *rhetoric*. Each of these two modes is greatly advantageous to him who makes good use of them, as each contains within itself, in a manner, ~~a separate~~ species of rhetoric. What has been observed in my book of *Methods*, regarding the manner of proof peculiar to *logic*, strongly applies to *rhetoric*, in this respect, that the latter, as well as the former, has two distinct preferences in its modes of proof. For instance, some orators prefer the use of *example* in their discourses, while others stickle for the efficacy of *enthymem*. The former class of speakers achieve persuasion in no inferior degree to the latter, except, indeed, the advantage which *enthymem* possesses, of making a more lasting impression on the mind, and calling it more into exercise. For this we shall assign causes in a proper place.

Let us now show, by conclusive reasoning, the matters to which *enthymem* will apply.

Every thing within the proper sphere of persuasion is personally relative, i. e. may be employed to persuade any person. This again divides itself into two species of *capacity*, one whereof is self-persuasive, and credible at first view; the other merely receiving its belief from being *seemingly* founded upon proofs of equal quality with the first. Now, since there is no art which is merely considerative of *individuals*, or takes them as *objects* (medicine, for instance, proposes not individually what would be best for

the health of *Callias* or *Socrates*, but searches generally into cases of similar afflictions, considering the difference of temperament; it being feasible, that the infinite number of *individuals* outruns the possibility of comprehension in any one art or science),—we may take it for a consequence, that *rhetoric* will be equally far from proposing to itself, or considering any probability, with reference to any one individual, or attempt persuasion in that way:—for example, it will not search into the probability of a thing affecting *Socrates* or *Hippias*, but it will consider the probable effect upon such minds, under the circumstance of different inclinations and moral dispositions.

In like manner it is that logic trifles not in arguing or syllogising upon every indifferent matter which presents itself, even though that matter may appear to certain individuals in the light of probability; for there are things which, as probable, strike certain persons, such as fools and madmen. The only matters on which logic expends its arguments, are those which, not being of themselves sufficiently warranted, stand in need of being proved. As to rhetoric, it applies itself solely to subjects which have customarily been matter of deliberation, examining those things upon which men ordinarily consider, and to which no art is attached: this too it does, for the convenience of unenlightened auditors incapable

of comprehending any thing which embraces several topics at once, or of following up in their minds a lengthened series of reasoning. Here it may be observed, that deliberation is generally consequent alone upon what appears to have fallen out differently from previous experience—this being the only source of deliberation. Besides, it is impossible to deliberate upon the *past*, when we cannot prevent the occurrence which has taken place: nor upon the *future*, for it is out of our power to turn the course of events: nor upon the *present*, for it is not practicable to annihilate the existence of a thing, at least, so long as the opinion and belief concerning it shall obtain.

The Manner of ARGUING in RHETORIC.

As to what regards argument upon, and the establishment of any matter syllogistically, or by consequences, two methods are generally employed on this head, viz. either by inferring conclusions from propositions which are already proved by other syllogisms or arguments; or, secondly, by deducing from propositions standing in need of being so proved, on account of their not being probable of themselves. But, perhaps, neither of these two methods is proper for the purposes of rhetoric: the first, by reason of its intricacy and length, being above the comprehension of a simple and unintelligent hearer; and the second, on account of its incapacity to

persuade, because it advances matters neither carrying probability with them, nor avowed by the world. From these observations it follows, respecting *enthymem* and *example*, that they should be always employed upon matters of uncertainty, and upon subjects which have ordinarily happened in a different manner from the existing one. And, with respect to the form of the *enthymem*, we may lay down, that it cannot advance so many circumstances, or be composed of as many propositions as the *perfect syllogism*; because, if one of these propositions be known, the auditor requires of us to omit it. For example: we wish to proclaim, "that *Doricus*, the famous wrestler, has conquered, and been crowned at the Olympic games;" it would be quite sufficient to say, "that *Doricus* obtained the prize;" there being no necessity of adding the general proposition—"that the victors at those games are crowned there," because that custom is universally known to be general.

*The Nature of those Propositions, of which the
ENTHYMEM is composed.*

Among the propositions, wherewith rhetoric forms its syllogisms, there are but few founded upon *necessity*; for the greater part of those matters which are adjudged *at bar*, and those *deliberatively* treated of, are uncertain so far as they induce the

possibility of *varied contingency* in all. Besides, deliberative speculations are hinged upon matter of extended enterprise, or agency, and it is well known that all human actions are of such a nature, as to prevent our calculation upon necessary effects, or infallible event. Let us consider, then, that *contingent propositions*, which are true only in relation to *ordinary* circumstances, should be always proved by others of a similar nature, and uncertain as themselves; while, on the other hand, *necessaries* must be proved by *necessaries* (as has already been said in the *Analytics*). *It will be consequent, that the derivative matter of enthymem will be, for the most part, UNCERTAIN, or CONTINGENT, and very little of it NECESSARY.*

In truth, every enthymem which is made, rests its proof either upon *probability* or *signs*; inasmuch, that such *probability*, and such *signs*, should be but one and the same thing reciprocally, in regard to matters of *necessity* and *uncertainty*; and, in fact, properly speaking, *probability* is that *which ordinarily happens*, not *absolutely*; not, as some persons pretend to have it, in the definitions which they give on this head, indifferently comprehending, under the title of probable, all things, of whatsoever nature they may be, never troubling themselves about the fitness, or unfitness, of their *universality*. In rhetoric, *probability* should be solely understood as relating to matters which do not always occur

alike, and to be only connected with those things from which its quality is reflected, in the same relationship which *universal* bears to *particular*.

Of SIGNS, and their Difference.

Of these, there are two kinds; *one* relating to things which the species of *sign* represents, as from *particular* to *universal*; i. e. it must be proved in the same way, as if we proved a *general* by a *particular* proposition.

The second kind is the converse of the other in relation, being from *universal* to *particular*. Of the latter, there are again two classes; the first, *necessary*; to which the name of *tecmerium* has been given; the second, *not necessary*, and simply called *signs*. By *necessary signs*, I understand those which may become *syllagistic matter*; herein the proof is convincing; and with this class, for that reason, the *tecmerium* is numbered. For whenever an orator alleges, in proof, matters which he thinks unanswerable, such proof he qualifies by the appellation of *tecmerium*, as if he should say, "This proof is demonstrative, and puts an end to the question." The word *tecmar*, which is the root of *tecmerium*, in the old signification, implies the idea of *boundary*.

Now for examples of those signs, and first of that kind which we have mentioned, to bear the relation of *particular* to *universal*. For instance; the following mode of reasoning:

“ A *sign* that all men of ability are virtuous, is, that Socrates, who was a man of ability, was also a virtuous one.”

Such reasoning would be adducing a *sign* for its proof. However, that sign would not be either *necessary* or *convincing*, because it could not be reduced to a *syllogism*, which never draws an universal from a *simple* proposition. But if a person reasoned thus :

“ A *sign* that such a man is sick, is, that he has a fever—”

Or,

“ A *sign* that such a woman is a mother, is, that she has got a breast of milk :”

This sort of sign would be *necessary*, and the only one which we could call *tecmerium*; for when any sign is of such quality, that it singly suffices to impress the truth of what is said, the proof is then convincing and unanswerable.

As to the other species of signs which stand in the relation of *universal* to *particular*, and which are *not* necessary, the following may serve to illustrate :

“ A *sign* of that man's having a fever, is, that he respires as if he were out of breath.”

This would be certainly true, but easily answered, since it often happens that a man is out of breath without being in a fever.

Having explained the nature of *probability* and

signis, and also recounted the different species of the latter, with their several distinctions, I shall refer the reader for a more detailed account of those matters to the ANALYTICS.

Of EXAMPLE.

The affinity of this with *induction*, and in what the latter consists, has already been shown. *Example* must not be considered, in regard to those subjects which it serves to exemplify, as the particular is considered with regard to its universal, or *vice versa*; and still less in the relation of universals to each other. But it must be viewed in the light of one *particular* with *another*, and in the relation of *like* to *like*. Whenever two things are found under one common *kind*, and that one is more known than the other, that which is more known is properly termed *example*. For supposing me inclined to demonstrate, that when *Dionysius* of *Syracuse* demanded body-guards, he had a design of becoming tyrant; I would say that *Pisistratus*, in the same manner, at first demanded body-guards, and, when he got them, seized upon the government. I would say that *Theagenes* acted in the same manner at *Megara*; and would adduce still farther instances wherein tyrants had become such by the like proceedings; all which would serve as an *example* to *Dionysius* of *Syracuse*; but yet it would not be clear that he demanded body-guards with any such design.

All the above-cited examples may be comprehended under this general proposition, viz.

“That whoever meditates tyranny, and seizure of the government, demands body-guards.”

Thus far have we shown in what consists the rhetorical proofs, which appear to be demonstrative.

The DIFFERENCE of ENTHYMEMS.

The difference of those is so great, that few can boast a thorough knowledge of them; in fact, it is the same as the difference between *logical syllogisms*; some *enthymems* being as peculiar to *rhetoric*, as some *syllogisms* are to *logic*. More of them pertain to other different arts and faculties, either of invention or known science. Hence the obscurity with which they appear to the auditor; and hence, those who use them contrary to the lessons of rhetoric or logic, ramble wide of their art, and no longer reason either as logicians or orators. This will appear more evident upon farther explanation. We must next observe, that the *logical syllogisms* are those to which we assign *places*. Of the latter, there are two kinds: one *common*—the other *proper*. By *common-place*, I mean that which will serve in proof of *divers matters*, such as jurisprudence, physics, politics, and many other matters *specialy different from one another*. Of this descrip-

tion, is the *common-place*, which treats of *greater* and *lesser*; because we may derive from it syllogisms and enthymems upon matters of *right* or *physics* equally as well as upon other sciences; and yet all these matters are severally distinct. *Place-proper* is that which is *particular* to each *kind* and each *species* of propositions. For instance; there are propositions so dependant upon *physics* as to preclude the inference of enthymems and syllogisms for the proof of *ethics*, and *vice versa*. This is to be equally understood of all other particular and specific propositions.

It must be here remarked of *common-place*, that by it, a man will never become learned upon any particular subject, because it is vague, and treats of no determinate matter. It is otherwise with *place-proper*; for, the more those propositions which we draw from it are select, and particular to the subject of which we treat, the more removed we become from logic and rhetoric, and the nearer we approach some other *science*: the reason is obvious, because, if we carry back those propositions to *principles*, our reasoning and proof have no further concern with logic or rhetoric, but with that *science* alone, on the principles of which we have touched. We must farther observe, that the greater part of enthymems are derived solely from *place-proper*, and very few proceeding from *common-place*. We shall then make a division of enthymems in

the same manner as we have already done in our *Topics*, viz. into as many *places proper* as there are sorts of propositions whence they might be derived. I shall name those propositions *places proper of enthymems*, which are *particular* to each *kind* of rhetoric separately: those propositions shall be called *places common of enthymem*, which are *common* to *all* the kinds aggregated, and which serve in proof of all sorts of matter. Let us now speak of those branches, into which rhetoric resolves itself, that, having recounted them as to number, we may see in particular, the elements of each, and the propositions befitting them.

CHAP. III.

The KINDS of Rhetoric.

Rhetoric has, within it, as many divisions of *kind*, as there are descriptions of auditors, viz. *three*. For, every discourse turns upon three subjects of consideration; to wit, the speaker, the subject treated of, and the person addressed. The latter is termed the *auditor*, and to him the discourse principally refers. Every auditor should be, of necessity, either a simple bearer or a judge. In the latter case, he is to take cognizance either of things already done, or those *not yet* done.

An auditor, who has to judge of what has not yet happened, but which is merely intended, may be illustrated by the people of Athens, assembled in debate upon the affairs of the republic. He who pronounces on the past, and what has been accomplished, is, properly speaking, a magistrate, or judge. And, finally, the simple hearer is he who comes for the gratification of curiosity, or to enjoy the pleasure of hearing a distinguished orator. The three kinds of rhetoric correspondent with these three descriptions of auditors, are—

The deliberative,

The judiciary, and

The demonstrative.

The first of these comprises two parts, viz. *persuasion* and *dissuasion*; for, whether in private or public debate, one or other of them is generally atchieved.

The second kind has also two subordinate parts, namely, *accusation* and *defence*; for the general result of the advocate's pleading turns upon either of the two.

The third kind also contains under it two parts, *encomium* and *inculpation*.

To each of the above three kinds of rhetoric, is also incident *a time* peculiar to it individually:

The *future* pertains to the *deliberative*; for every man who deliberates, whether for the purpose of

advising or dissuading, does so on matters which have not yet occurred.

The *past* is appropriate to the *judiciary* kind ; for no actions are ever accused or defended, except those which have been accomplished.

And the *pretens* is most applicable to the *demonstrative*, because nothing is praised or censured if it be not effective, and in operation.

Not but that orators will, in this case, frequently introduce the mention of the past for the purpose of awakening the recollection to any subject ; and even anticipate what has not occurred, as in judging of futurity. Furthermore, each of these kinds proposes to itself a particular end and object ; and, consequently, there are three different ends, i. e. each of the three has an opposite ; for example :

The *deliberative* proposes to itself an end either *useful* or *noxious* ; for, whatever the orator undertakes to *persuade*, he lays down as the best thing possible ; while the object of his *dissuasion* is reprobated as the worst. He is not, however, to be understood as surrendering his right to use the ends proposed by the two other kinds, in order to strengthen his proof. For instance ; he will endeavour to show that the thing is *just* or *unjust*, *honest* or *dishonest*.

The *judiciary* pleader proposes to represent his subject either in the light of *justice*, or its *opposite*, and, for that purpose, he enjoys the privilege of

reserving whatever is to his advantage in the deliberative or demonstrative.

Finally, the orator who enforces praise or censure, pretends also to show that the object of his praise is honourable, or that of his censure to the contrary. The same advantage which the two preceding enjoyed, is annexed to him. A certain proof that each of the foregoing kinds propose to itself no other end than that particular one which we have specified, is, that, touching *the other points*, we seldom find any contest between them respectively. For example; the *judiciary* pleader often will allow a thing to be done which has been *prejudicial*, but at the same time he will not concede that it was *unjust*; if he did, there would be no utility in his plea. The same may be said of the deliberative orator, who will often grant you every other point, except those affecting his immediate persuasion or dissuasion, of utility or disadvantage. Now, in order to know whether the subject of advice be contrary to justice or not, let us suppose the advice of an orator to be, the subjection of a neighbouring people, who have committed no injury: the latter part is what he not only does not think of, but even gives himself little trouble to think of.

So it is with those who praise or censure another: so far from examining whether he has done that which will be matter of profit or loss to him; that they frequently commend him more

for a contempt of self-interest in undertaking any glorious action.

For instance, they load with encomiums *Achilles*, who, though perfectly assured that he should perish, in avenging the death of *Patroclus*, his greatest friend, preferred the loss of life, to the impunity of his affront. It is, however, certain, that if, on the one hand, such a death was glorious; on the other, the prolongation of his life would have been of advantage to him.

*The Necessity of COMMON-PLACE, and PLACE-
PROPER.*

From what has been said, it is plainly necessary to amass a certain fund of propositions upon all subjects of discourse connected with the three kinds of rhetoric. And further, it is to be recollected, that the propositions made use of in rhetoric are all derived from *probability*, and from *signs both simple and necessary*. Besides, the necessity of thus having a number of propositions in store, arises from the impossibility of making syllogisms without them. Thus, enthymem, being a species of syllogism, must be also composed of propositions, but of the same quality with those already taken notice of.

But, because a man cannot aver, that a thing, at all *impossible*, can ever have been done, or that it cannot be done, such averment pertaining only to things *possible* in their nature; and fur-

ther, because it is impossible that what has not been done, nor ever ought to be done, has been already done, or will in time be done ; it will be necessary for the orator, either in deliberation or pleading, or in subjects of the demonstrative kind; to be possessed of *another* fund of propositions both on matters of *possibility* and *its contrary*. And this, to the end that he may know whether the thing will be done ; whether it will happen, or not.

And still further, the orator, in whichsoever of the three kinds of rhetoric he may be concerned, should not only prove so far as is hitherto required, but also manifest, that the thing of which he speaks, whatever be its quality, is either *great* or *otherwise, important* or the *contrary*. This, too, he should attend to invariably, whether he considers the things in themselves independently, or in comparison with each other. Certain it is, that he will find the necessity of having store of propositions, general and particular, both upon *greatness* and *littleness*, as also upon the *comparative excess of each* ; in order that he may know what particular good will be greater or less than another ; what actions are more just or unjust, &c.

We now come to point out the matter where the propositions to be employed, must be, of necessity, derived. We shall speak of each in particular, as it will regard each of the three distinct kinds of rhetoric,

CHAP. IV.
OF DELIBERATIVE RHETORIC.

On Matters which fall under Deliberation.

In this division of the art, the principal thing to be attended to, is, a regard to the quality of the *good* or *evil*, which the deliberator ordinarily examines, and upon which he gives his advice. For, assuredly he does not examine them fully and entirely, as he stops but to dwell on what is uncertain, equally judging of their contingent, or contrary power; since those things which happen necessarily and uniformly, or those which, from total impossibility, cannot exist, are never thrown into the scale of deliberation. It must also be taken for granted, that deliberation is never employed upon whatever *good* is *absolutely uncertain*: one part, perhaps, being dependent on nature; the other, on fortune. They may both happen or not; and, therefore, it would be useless to make either the subject of deliberation. From this it is easy to see what description of *good* or *evil* may truly come under deliberative consideration.

Under this head we may rank all those *goods* or *evils* which, from their nature, have a relation to us, and which could not have existed without us, containing, as we do, within us the prin-

principles of their production; for we commonly make the recognisance of our power to do any thing, the subject of deliberation.

This is not the proper place to make an exact research into, and a precise enumeration of, all those things on which men usually deliberate, and still less of treating them fundamentally, and giving a thorough insight into them. Such an employment pertains to an art more excellent in itself, and more specially intelligent than rhetoric; for, so far from rhetoric being capable of treating any subject fundamentally, that there is even more knowledge generally attributed to its province, than naturally pertains to it. As was remarked in the outset, rhetoric is composed, in the first place, of *analytics*, which is an emanation of logic; in the second place, of that part of *politics* which is attached to *morality*, or *ethics*; and, thirdly, it partly bears a resemblance to *logic*, and partly to that evasive mode of reasoning called *sophistry*. But the strongest proof of its incapacity to treat a subject fundamentally is, that, the more pains an orator takes to employ either *dialectics* or *rhetoric* out of their sphere of general reasoning, as simple faculties, and convert them into *exact sciences*, the more he will unwittingly destroy the nature of both. For, if he treats them as sciences, he will confine them within certain subjects, whereas they themselves profess to run out upon all sorts of matter.

In those subjects which create deliberation in a *state* there are five principal points which give origin to debate in public assemblies :

1. Matters of finance.
2. The affairs of war and peace.
3. The strengthening of places by garrison.
4. The exports and imports of provision and merchandise.
5. The establishment of laws.

If the orator's subject be *finance*, he must be, in the first place, acquainted with the nature and amount of the state-revenues, in order that those funds be re-established which may have been turned from their channel, or a *right* augmented, where it has suffered diminution. He must also be acquainted with the annual expenditure of the state,—for the purposes of retrenchment, in case of superfluity,—or reduction, in case of exaggeration ; for there is wealth in the retrenchment of what is useless, as well as in the increase of possessions. But pertinently speaking on all these heads, it will not be alone sufficient that a man's own experience in such matters be his guide, but he must be equally directed by invention and historic precedent.

Has the orator to deliberate upon the *affairs of war and peace* ?—He must well know the power of the state, the present extent of its force, and the ultimatum of its possible increase ; the nature of such force, or the additions necessary to be

made. He must be equally versed in the history and issues of former wars maintained by such state; and not only this, but it is even requisite that he should be acquainted with those maintained by all the surrounding and adjacent states: with the warlike or pacific disposition of either, his acquaintance should be profound, in order that, upon emergency, a proper distinction might be made, in the favour of his own, between the powerful and the feeble. By a comparative estimate of our own forces with those of an enemy, we can alone judge of our adequacy or inadequacy to support a contest. This consideration generally involves the loss or gain of battles. Upon this subject our reference must be universal, with respect to the aggregate wars of all nations, wherefrom some particular enterprise will, most probably, adapt itself in circumstance to that which we may have in hand.

As to the question of *garrisons*, equal consideration must be had to the knowledge of that kind of defence peculiar to any particular place—the description and amount of the garrisoning force, and the natural or artificial situation of each strong hold. This, to the end of reinforcement, in case of debility, or the removal of such a portion as a strict necessity does not require; or, in fine, that every useful disposition might be made for the defence of an important place: this knowledge cannot be obtained, except by a

thorough acquaintance with each particular country.

With regard to the subject of *provisions*, the knowledge necessary to be acquired should take in—the quantity requisite for the support of a state, the quality of those which are of native growth, and those imported from abroad. It is equally indispensable to understand the fitness of certain articles of merchandise, either for import or export. This point will comprise the practicability of forming treaties of alliance and amity, with those nations which may either glut us with unnecessary articles, or those which supply us with the necessaries of life. We should be particularly cautious in offering offence either to those which are more powerful than ourselves, or those absolutely necessary and useful to us.

In these four points, are summed up whatever *politically* regards the safety of a state; and with them, the deliberative orator should form a particular acquaintance.

The fifth and last point essential to this description of oratory, is by no means less important than the others, viz. *the establishment of laws*: because it is principally upon the observance and establishment of internal laws that the safety of every state depends. The legislative speaker should be thoroughly apprized, First, How many forms of government there are; Secondly, What is convenient and agreeable to, or

destructive of, each; and, Thirdly, Whether certain things be proper and essential, or in their nature repugnant to each. For, a state may be destroyed even by those very circumstances which established it. Because, if we except that alone which is truly perfect, we may scarce say that there is not a state which is not liable to be overwhelmed either by multiplying or subtracting from its essentials. For example, if a *popular state* obtain either more or less than its essential liberty, it dwindles and degenerates into an oligarchy. Just as in the case of a *snub* or *aquiline* nose, the superfluity of the latter will repair the deficiency of the former; but if you attempt to render the one *more snubbed*, or the other *more aquiline*, you will, in the end, efface the distinctive quality of nose altogether.

In debating the establishment of law, the orator is not to confine himself to the question of fitness, within the practice of his own country—but whenever the question turns upon the best form of government, his reading should instruct him, by a review of the transactions in other countries, what kind of laws are most appropriate to certain descriptions of people.

Hence it is evidently to be inferred, First, That *travel* is of use in forming a legislature; because, by a travelled converse with different nations, an experience of their laws is obtained: Secondly, That he who would convince in a public assembly,

must be perfectly well versed in history.—All these considerations are peculiarly the province of *politics*, and are not, by any means, *appropriate to rhetoric*.

CHAP. V.

Of the SOVEREIGN GOOD, or, SUMMUM BONUM, and its Parts.

There is not a person, either in common, or in particular, who does not lay down for himself some certain *end* in life: every man keeps the attainment of it incessantly within his view; and every man, as far as regards himself, does all in his power towards acquiring or avoiding certain things. Now this *end*, is what we call the *sovereign good, felicity*, and every thing dependent upon it. In order, then, to form some idea of it, let us say something generally of this happiness, or sovereign good, or that which is also a part, since it is the object of every persuasion, or dissuasion, according as the one may lead to, or the other detract from it. For, in fact, every thing capable of rendering us *absolutely* happy, or only *so in part*, or whatever out of an inconsiderable may produce a considerable *good*, should be always the end of our actions; while, on the other hand, we should refrain from those things which

destroy or impede our happiness, or create a situation contrary to it,

Now, let us suppose that happiness consists,

In a life, every action of which succeeds, to the satisfaction of the agent, without his swerving, in any degree, from the duties of a virtuous and honest man ;

Or,

In that condition of life which excludes necessity :

Or,

In so perfect an enjoyment, that pleasure meets no interruption :

Or,

In being so admirably possessed of every thing, as to have it in our power to preserve it in time of need, and, even though it may be lost, to acquire it anew.

These will, without doubt, by the whole world, be allowed to constitute the sovereign happiness of man ; either by the single possession of one, or the aggregate enjoyment of all.

Upon the supposition of happiness being such as is here represented, we should enumerate, among those things which create it partially, the following, viz. birth, credit, the friendship of honest men, wealth, the advantage of a perfect and numerous progeny, and the enjoyment of an old age, undisturbed by cares or inconveniences. We may likewise add to the list, all the excellings

qualities of the body—for instance: health, beauty, strength, stature, and address in all kinds of exercises; and, still further: glory, honours, and good fortune, and virtue, with its dependents, viz. prudence, valour, temperance, justice, &c. For, certainly, that man will acknowledge himself supremely content, who feels himself possessed both of those goods which are innate within ourselves, and those which are externally derived. There is no need of searching further than these two sources. I call those goods, innate within one's self, which serve to embellish the mind, and render the body perfect: and I give the name of extraneous to such as nobility, friends, honours, and riches. Notwithstanding the many degrees leading to happiness, which I have recounted, man would feel gratified and assured that his felicity was complete, in the possession of power and the favour of fortune.

The component Parts of Happiness.

Nobility may be considered in two ways, either with regard to an *entire people* or a *single individual*. A people may be distinguished for nobility, by being aboriginal of the country they inhabit, or, at least, by their antiquity. A people may also acquire the epithet from the lustre of their founders, and from having produced a number of men distinguished for wisdom, valour, justice, or any other emulative advantage. The nobility of an individual may arise out of his

male or female ancestry, or both, particularly if his birth be legitimate. Now, this latter will also receive still greater consequence, if a man's earliest progenitors have been remarkable for *virtue*, great possessions, or any other creditable circumstances; and not only so, but it would heighten the lustre, if the original glory of ancestry were increased by the descendants, in all the distinctions of sex or age.

It is not difficult to comprehend what I mean by the *happiness of having a progeny*. Generally speaking, this blessing may apply to a city or state, containing a number of young persons, well endowed, either in body or in mind. The two good qualities of the latter, *temperance* and *valour*, are peculiarly appropriate to youth. *Individually* speaking, we call a man *happy in his offspring*, when it is numerous, distributive in sex, and remarkable for those good qualities already recited. The qualities of body commendable in the female, are, *beauty* and *shape*; and those of mind, peculiar to the sex, are, *temperance*, and a love of management (without descending to meanness), which is ever praiseworthy in women of rank. The possession of offspring cannot be called a happy one, if these several virtues and qualities are not attendant upon it. And here, I may be permitted to observe, that persons circumstanced as were the *Lacedæmonians*, whose children are ill brought

up, can only be considered *half-happy* in their possession.

As for *riches*, this term comprises *treasure*, *large inheritance*, *fine lands*, *furniture*, *flocks*, and *slaves*: the latter, particularly if they be distinguished for their stature, beauty, or number. It is not sufficient that a man be thus possessed in order to the denomination of rich, if his possession be not *secure*, *honourable*, and *profitable*. A thing is attended with *profit* when it bears a right relation to another. Such a possession, for instance, is that from which you derive a rent: a thing is *honourable* when it is made use of by the possessor for his pleasure alone: such an one, for example, as goes no further in its application than the owner's use. The *security* of a possession consists in our enjoyment of it being unrestricted; and in its being our *property alone*. *Property* is that which carries with it the right of alienation, either by sale or gift. Possession, without use, is not fairly entitled to the quality of *wealth*, which, properly speaking, is the use of one's possessions.

The essence of *glory* and *reputation* consists in passing with the world as men of virtue, or as possessors of advantages which others passionately desire, as men of distinguished honesty, or men of genius.

Honour is the testimony of that esteem which the world pays chiefly to good men. It is also

extended to those who have it in their power to do good. A good action is to be considered so in relation to life, or to that which may cause its preservation; to wealth, or any other of those advantages difficult of acquisition, either absolutely, in a certain place, or at a certain season. Thus it is, that we often perceive great honour and great submission paid to several, in consideration of matters apparently very unimportant, merely because the occasion or the difficulty of the achievement rendered them of value. Men may be honoured in various ways: such as, by the *offering of sacrifices—public inscriptions, poetic or prosaic—rewards—particular places consecrated to them—precedence—monuments—statues—public pensions*, or (agreeably to the custom of some foreign nations) by *prostrations on the earth, or giving way to the object of respect as he passes*; to these may be added, *presents*. The latter, in fact, is of that particular nature, that it conveys a double donation, both of the article presented and the esteem of him who bestows it. In these, the avaricious and ambitious man equally delight; each finding in them the object of his research—the former an acquisition—the latter, honour.

Health, properly speaking, is a bodily virtue. It should, however, be possessed in that degree which would not impede the exercise of all our functions without danger of hurting it. There

are many who enjoy health upon the same conditions with *Herodicus*, who cannot be called happy in this respect, as he is obliged to refrain wholly, or in a great measure, from what can render life agreeable.

Beauty differs according to different ages. A *young* man's beauty consists in the fitness of his body to all kinds of exercise : such as the foot-race, or other exertions requiring personal vigour ; added to this, his entire mien should be pleasing to the view, without satiating the beholder. For this reason, those who are adapted to feats of wrestling, racing, or boxing, are particularly handsome. The beauty of a *grown* man consists in his ability to support the fatigues of war, and in his possessing a countenance where the agreeable and formidable are mingled. The beauty of an *old* man consists in his capability of performing, without cause of complaint, all his necessary functions, and in feeling none of those inconveniences which ordinarily afflict old age.

Strength consists in the power of turning and managing any thing at our will—this may be done in four ways : by draught, push, elevation, crush or squeezing. He is not to be called strong, who cannot perform either one or all of these feats.

With regard to *proper stature*, that man is said to possess it, who surpasses the generality of

others in height, in breadth, or in grossness, provided that he is not proportionally rendered heavier or slower in his movements.

The man who would be considered *athletic* (having three sorts of exercise to perform, viz. wrestling, racing, and boxing), must be possessed of the three bodily advantages—*size*, *strength*, and *agility*: every active man is also a strong man.

He who can throw forward his legs in a certain quick manner of advance, is fit for the foot-race.—*δρομικός*.

He who can *hug* and hold his man firm, is adapted to wrestling; and—*παλαιστής*.

He who, by force of hands, or blows, repels his adversary, and causes him to stagger, is a proper boxer—*πληκτικός*.

Some athletics are distinguished both as wrestlers and boxers—and many have attained celebrity in all the three exercises—*πενήταθλος*.

Easy old age, is that which is slow in its approach, and which causes no suffering. For, let a man be subject to disease, and of a weak complexion, this puts in his power the means of alleviating his sufferings; and, if of necessity he be incommoded, how can he live long in such a state, without some peculiar blessing? I must confess, that we every day see people arriving at a good old age, who are deprived of every bodily advantage. This is not,

however, the place for a precise investigation of such matter.

As to what is termed *credit*, and the *friendship of honest men*, we shall best know their meaning by the interpretation of the word *friend*. That man who endeavours, by all means within his capacity, to procure for another what he supposes will be to his advantage, without further object than a desire to serve him, and upon the mere consideration of regard, may be properly styled a *friend*. Now he who reckons on his side a number of persons thus disposed towards him, may truly boast of *friends* and *credit*; if the former be of the meritorious and virtuous class of mankind, he may likewise boast the *friendship of honourable men*.

Good fortune arises from the incidence of those goods and advantages which are commonly fortuitous, or at least from their falling to a man's lot in either a good part, or the most considerable share of them. Add to this, that Fortune will sometimes cause and procure to us those very goods and advantages which our address or art may acquire; though, most generally, her favours do not lie within the power of art, as *natural* good does. She is, likewise, often the origin of certain goods extraordinarily produced, and, in a manner, warring with the intentions of nature. For instance, she frequently is the cause of *health*, which is dependent upon the art of

medicine; and she is often, also, the cause of *beauty* and *stature*: advantages purely dependent on *nature*.

But, generally speaking, those may be styled goods of fortune, which lie at the subjection of *envy*. Independently of what have been recounted, Fortune also bestows other goods, frequently in contradiction both to reason and appearances. This may happen in the case of one perfectly-formed youth, among a number of brothers extremely deformed; or it may occur in the case of one person alone meeting with a treasure, though a number of others accompanied him in search of it; or, again, in the instance of an arrow taking a contrary direction to its aim, and wounding quite a different person from the one intended; or, still further, when a person who has been in the habit of frequenting a certain place, refrains from going thither on a particular occasion, which proves fatal to those who have gone there for the first time:—all these cases are evidently the pure effects of good fortune.

Touching the nature of *virtue*, as it particularly refers to *praise*, we shall reserve our comment on it, until we come to the demonstrative part of rhetoric.

CHAP. VI.

The Object of DELIBERATIVE RHETORIC, and of PLACE, in proving the Goodness or Utility of any Thing.

We have just now viewed the nature of those things which are referable to persuasion and its contrary, upon matters of occurrence or its opposite. But as the deliberator has ever in view the utility of a thing, and debates not upon the *end* but the *means* of attaining it (utility being always a good and an advantage), it will be here necessary to give some general notions of what is *good in general*, and what is *useful*, in order to form propositions thereon.

Let us then make use of the following hypothetical series :

1. That good is a thing desirable on its own account.
2. That its possession depends on the research of other goods, which are not commonly thought of.
3. That, generally speaking, the whole world, or, at least, the sentimental and reasoning part of it—nay, even those not gifted with reason—are covetous of its possession.
4. That real good is that which reason represents as such.

5. That what *it* so represents as good in each particular instance, is always advantageous.

6. That a good is of such a nature, as to satisfy the possessor.

7. Or suppose we take that as a good, which either causes, preserves, or is always followed * by the advantages we have mentioned, and removes or destroys any thing to the contrary.

We must necessarily infer the following consequences :

1. *That the acquirement of good, and deliverance from evil, are matters of advantage, since the acquisition of the former is incompatible with the being of the latter, and the destruction of the latter infers the possession of the former.*

2. *That the exchange of a trifling for a considerable good, or of a considerable for a trifling evil, is highly advantageous, since we may rest assured, that, in the proportionate excesses of*

* We may here observe, that one thing may follow from another in two ways—either at the *identical* or *some subsequent time*. For instance, *study* is an *after-consequence* of *science*, and *life* an *identical* one of *health*. It may also be necessary to remark, that one thing may be the *cause* of another in three ways :

First, *Formally and of itself*—thus, *health* is always the cause of *soundness*.

Secondly, *In one repairing the loss of another*—thus, *aliment* is the cause of *health*. Or,

Thirdly, *In one preserving the other*—thus, *exercise* causes *health*, as the latter commonly depends upon the former.

greater and lesser, will consist the advantage of possessing a good, or being delivered from an evil.

3. We may also generally infer, *that every virtue is a good*: since its possession induces content, and because it is the origin of many consequent advantages. Besides, virtue endows a man with the capacity of doing good to others.

4. We may further maintain, *that pleasure is a good*; because it is the object of every animal's natural research.

5. We may conclude *all things which are beautiful and agreeable to be also good*, for reasons similar to the preceding; because what is agreeable leads to pleasure. With regard to things which are beautiful, they resolve themselves into two kinds: one, *simply pleasing*; the other, honourable and desirable for their own sake.

6. We may add the *sovereign good* to this classification: being desirable on its own account, because it gives full and perfect satisfaction, and because we omit nothing in our power towards its acquirement.

7. We may herein rank, *justice, valour, temperance, magnanimity, magnificence, and similar habits*; for these are virtues of the mind.

8. We may enumerate among those advantages, *health, beauty, and such-like*; because these are virtues of the body, and qualities tending to its perfection; they are also incentives to the en-

terprise and execution of several things. Thus, *health* is a *good*, inasmuch as it is the source of every pleasure, and of life itself. It also receives the denomination of *good*, since it is, at the same time, the principle of two things which the ordinary part of mankind most esteem; viz. *life*, and *living with pleasure*.

9. *Riches* may be enumerated in the list: for there is a *virtue* in the right use of them, and through them much *good* may be done.

10. *Friends, and friendship*: for a friend is desirable *on his own account*, besides that he has the power to render a service.

11. *Honour and glory*: for, besides the *pleasure*, there is an *advantage* in possessing them; and it commonly happens that those things which lead us to honour others, are to be found within ourselves.

12. *The power of speaking and acting* is also advantageous.

13. The same may be said of *genius, memory, docility, vivacity, and such-like qualities*, as they may be contributory to our fortune, and may put us in the way of doing great things.

14. *The arts and sciences* may be comprised in the account, and even *life itself*; for even though we had no other advantage, yet should it not cease to be desirable *on its own account*.

15. And lastly, We should hold as *good, that*

which is just, because it is so intimately concerned with public utility.

Thus have we classed those things which mankind unanimously allow to be *real goods*.

The Value of doubtful and controverted Good.

We shall commence a new series as to the proof of those things wherein the quality of good is contested, in the following manner :

1. *Every thing the contrary of which is an evil, must be itself a good.*
2. *The same may be said of that of which the reverse may be advantageous to our enemy. For example: if it be favourable to the enemy that we are cowards, valour would be of advantage to us.*
3. *And generally, whatever opposes the wishes of the enemy, or his cause of exultation, is apparently favourable to us.*

Hence it is, that *Nestor* is introduced by *HOMER*, in his attempt to reconcile *Achilles* and *Agamemnon* (whose dispute was near ruining the Grecian enterprise against Troy), principally alleging, as the most capable means of affecting them,

“What joy to Priam must this contest bring !”

We must, however, observe, that what is useful to us may be useful also to our enemy ; whence comes the proverb, that “Evils often reconcile

contending parties." This is to be understood of the damage being equal on both sides.

4. It may be taken for granted, *that whatever is not excessive of its necessary bounds is a good, for every excess is an evil.*

5. That is also a good, *which costs us the expense of pain and labour.* And certainly, no one can deny such things to have all the appearance of real goods, for they are the end and object of such pain and such labour. Now, every thing which has an end in view is positively a good. It is for this reason that we find HOMER putting into the mouth of *Juno*, when the Greeks were preparing to return home, and shamefully raise the siege of Troy, the following expressions :

" Shall then the Greeks, impell'd by base desires
Of base return, forget their former sires ?
Shall vict'ry crown (oh, shame !) the Trojan host ?
And Priam ever of such glories boast ?"

In another place too he makes *Ulysses* address the following language to the *Greeks* in order to stimulate them towards a perseverance in the siege :

" What shame, ye warriors ! will ye now refrain
From gath'ring laurels on th' embattled plain ?
And, after so much time and labour past,
Return inglorious back to Greece at last ?"

It is this circumstance also which gives rise to the proverb, " To break the pitcher at the door."

6. *Whatever excites avidity among a number of persons, or seemingly merits a dispute for its possession, is equally a good.*—This proposition may be taken for granted on one of our former definitions, viz. “That whatever is *universally* desired by men, is a good.”

To be sure, the present proposition is not conceived in such general terms; but then the *generality of men* bear some affinity to the *whole world*.

7. It is also plausible, *that every thing commendable is good*; for no one would take the trouble of praising that which did not contain some good.

8. *That is to be accounted a good action which forces encomium even from our enemies, or the most depraved of men.*—No one can assert the contrary, when those whom it prejudices, though having an interest in speaking ill of it, do quite the reverse. Indeed, had not truth impelled them to do so, they would never esteem it. Hence we may infer those to be profligate who are censured by their friends, and those to be honourable and virtuous, who compel their very enemies to praise them. Thus we find Simonides praising the *Corinthians*, who had considerable reason for being offended with him, when he says,

“O far-fam’d *Corinth*! what though thou be’st *Greek*,
Troy shall not ’gainst thee its complaints e’er speak.”

9. We may also propose as matter of excellence and good, *that which has been accounted so*

by persons of wisdom, or the virtuous of either sex. Thus we say of ULYSSES: "He must have been an excellent man, because, among all the Greeks, none was more highly favoured by the regard of *Minerva*."—So we say of HELEN: "She must have been a perfect beauty, when it is considered that *Theseus* judged her alone worthy of his choice and affection."

So we also say of the youthful PARIS: "He must without doubt have been uncommonly judicious, when three distinguished goddesses wished to make him the judge of their dispute." So also would one be apt to insist, "That ACHILLES must have been a very renowned captain, when HOMER made him the first hero of his poem."

10. *That thing must also be good, which is commonly preferred to all others.*—Common preference either consists in taking what is advantageous to ourselves, hurtful to our enemies, or profitable to our friends; or, in a word, whatever is possible to us.

A thing may be accounted possible, when it has already been done, or seems easy of achievement.—Again, the *facility* of doing a good consists in the absence of trouble, and the employment of little time: for the *difficulty* of any enterprise is proportionate either to the length of time employed in its execution, or to the trouble which it occasions.

11. *Every thing which is done agreeably to our*

wishes, is good.—The object of every man's wish is either a total and absolute freedom from evil, or a partial and inconsiderable distribution of it with a considerable proportion of good. Thus, a wicked man is led to the commission of a punishable offence, in the expectation either of escaping with impunity, or that his punishment will be light.

12. *Those things which we possess exclusively, or those which are above competition with every thing else, are also good; for there is the greater honour in the possession.*

13. *That likewise is a good which is particularly suitable to us.*—For example, such things as become us in the light of high birth, or high employments.

14. *Even the most inconsiderable things, provided they supply a want, are good.*

15. *That which we can easily attain is equally good; for it comes not only within the scope of possibility, but of facility also.* Besides, we believe it lies within our power to make ourselves easily masters of a thing which has already been done by the whole world, or many persons, either our equals or inferiors.

16. *That must also be reckoned advantageous, which, while it pleases our friends, displeases our enemies.*

17. *As also, whatever is the ordinary end of*

action with those whom we account highly deserving, and whom we esteem infinitely beyond all others.

18. *Those things for which a man seems destined, or wherein he has great experience:* for in such cases, men commonly flatter themselves with most success.

19. *That is also valuable which the upstart, or man of low condition, cannot perform:* for there is the greater glory in undertaking a thing out of the common line, and above the capacity of ordinary men.

20. *The ordinary object of our wishes must be likewise of value.*—For besides the pleasure which its possession bestows, there is another arising from our belief of its great superiority.

21. Every man must consider, as having a strong claim to excellence, *that to which he is particularly and most devotedly attached.* For instance: victory to the ambitious man, and money to the avaricious man, will appear greatly to excel all others.

In these two series of reasoning I have shown the relative value of *real* and *doubtful*, or *contraverted* good. These then are subject-matter whence propositions may be framed, when necessity shall require the demonstration of a thing being good or useful.

CHAP. VII.

Positions, illustrative of the Distinction between a great and lesser Good.

This consideration will appear to be necessary, when we call to mind, that though two persons may be of one accord, respecting the *utility* of a thing, they may yet be divided upon the question of the degrees wherein it may be useful. From the following illustrative series of position and consequences, a knowledge on this head may be obtained. We shall commence with three suppositions :—

First, That the thing which surpasses another in any degree, must necessarily include the contents of the latter, and somewhat more:—and, in the converse, that the thing so surpassed, must be comprised in the thing surpassing.

Second, That whatever is said to be greater, either in bulk or number, is so only in comparison with that which is less. Thus, when we make use of the terms *great* or *small*, *little* or *much*, it is always with a relation to other matters, that we may form an estimate of their respective proportion in quantity, &c.

Third, That the thing which surpasses another, is properly called *great*; and, on the contrary, the thing surpassed is termed *small*; so also with respect to *little* and *much*.

Let us further observe upon a former remark,

That good is desirable on its own account, without reference to any thing else. That it is generally desired by the reasoning part of the world, and would be the object of the research of the unreasonable part, were they provided with judgment. That it consists in what is capable of procuring to us suitable advantages, that which preserves them when acquired, or which subsequently produces them. That every thing, whereto we bring others in relation, serves as an *end*. And lastly, That the thing which each individual sets down to himself as a good, cannot be such in regard to him, if it possess not one of those qualities already mentioned. Upon this basis of presupposition then we may build the following numerous consequences;—when,

1. *More things than one (taken separately), or than an inferior number, are so compared one with another*, that you will always find the lesser number, or the single thing, comprised in the greater number; the latter will, indubitably, be more important and preferable. In fact, the two conditions of advantage and goodness are*

* Here we must consider Aristotle as meaning the comparison between *similars* alone; for instance, he would not mean that twenty farthings should comprise *three guineas* or *one*; though, in point of number, three or one are inferior to, and comprised in, twenty.

here to be met, as in itself, by its virtual quality, the greater number must be the *surpassing* one, and the other, as comprised in it, must be the *surpassed*.

2. *If a thing excellent in its kind be superior to another equally excellent in its own kind, the kind of the thing excelling will be superior to that of the other.*

3. And reciprocally with the foregoing, *If one kind be more excellent than another, the contents of excellence in the most perfect will exceed the contents of excellence in the other.*

For instance, if it be true to aver, *in particular*, that "the most excellent of men surpasses in excellence the most excellent of women," we may, with equal truth, *generally* assent "that all men are more perfect than all women:" and for the same reason we may prove the first of these two propositions by the latter; since the degrees of excellence in each *kind*, and in the things subordinate in the first rank, have always a perfect relation, and stand in just proportion to each other.

4. *A good which produces a second as its consequence, is of greater value than that which does not:* for if one enjoys the original, he will also enjoy its consequence. It has already been remarked, that a consequence may be derived in two ways; either *identically* or *subsequently*. We shall now

annex a third, viz. *potential consequence*. We shall elucidate the three by examples:

Life is an identical consequence of *health*: but *health* is not so with regard to *life*.

Science is an after-consequence of *study*. And

General larceny is the *potential consequence* of *sacrilege*; for the man who is sufficiently hardy to rob the altar or pillage the temple, will find little difficulty in plundering elsewhere.

5. *Of two things surpassing a third, the one in the highest degree surpassing is the superior.*

6. *The thing productive of the greater good is the more valuable and worthy of our choice.*

7. Upon grounds of reciprocity with the preceding. The same thing may be said of "that which is the product of the more excellent cause:" for, if that which tends to health be a greater and more desirable good than what simply leads to pleasure, it is a feasible consequence that pleasure is of inferior consideration to health.

8. *That which of itself alone is desirable, is of greater value than a thing merely desirable with reference to some other.* For instance: strength must be considered a greater good than any one of those things which regard health simply; because without health those things would not be desirable. Strength, on the contrary, is always of itself desirable, and thus falls in with one of the definitions which have already been given on the subject of good.

A DISSERTATION

9. *Whatever serves as an end is superior to what is deficient of this quality.* A thing of the latter description is sought for on account of something else; whereas the former is an object of research, merely for its own sake. *Exercise*, for instance, must yield to *health*, as the latter is the end of the practice of the former.

10. *That which exceeds another thing in requiring less assistance from one or many externals, is also better*, for it is more perfect, and singly more capable of bestowing satisfaction. A thing may be more independent than another in two ways; either in the facility of procuring what it requires, or in not requiring so much as another.

11. *Of two goods, one whereof depends on the other, in point of existence, that which is independent is the more valuable*, for, having no need of action, it is evidently more perfect in itself, and more capable of singly conferring value.

12. The same inference may be deduced with respect to two things compared together; *one possessing the quality of a principle, and the other not.*

13. *When one of two things is a cause, and the other not, the former is superior to the latter.* These two last consequences are evident from the consideration that nothing can exist or be done without some principle or cause.

14. *Of two goods, each of which recognises a different principle, the one produced by the more ex-*

celling principle, is itself more excellent than the other.

15. *Of two goods, each flowing from a different cause, that which is the effect of the more noble cause is itself also the more noble.*

And, reversing those two consequences,

16. *Of two different principles, the one producing the greater good is better than the other.*

17. *Of two different causes, that is preferable which produces the greater effect.* Here then it appears, that whatever side of the argument we may take, it is possible to prove one thing more considerable than another. And though in all groundworks of action the *end* is of most consideration, yet it is not a *principle* of action. For example: LEODAMAS, in his accusation of CALISTRATES, maintained, "that the adviser of a bad action was more culpable than the man who committed it; because," said he, "if the act had never been advised, it had never been done." In this respect advice was taken for the principle of action. Yet, upon another occasion, the same orator, speaking against CHABRIAS, contended, "that he who committed an injustice was more culpable, than the person who prompted to it; since all advice is nugatory, if there be not a person to execute; and since those who prompt to an act, do so with a design that it shall be carried into effect by others." In this respect execution was considered as the end of action.

18. *That which is rare excels what is common and abundant.* Thus gold excels iron, not in-point of utility, but from the value attached to the difficulty of its acquisition.

19. In another sense it may be maintained, *that a thing which is possessed in abundance is superior to another which is rare*: for, there is more use made of the former than of the latter; and that which is of more general service is preferable to what is less frequently of service; which caused PINDAR to say, in one of his odes,

“Nothing is superior to water *.”

20. *That which is more difficult of acquisition is more considerable than what is easily procured*: by reason of its rarity.

21. And yet, *the converse of the foregoing will hold good*: because we have possession and use at our will and discretion.

22. *Of two alternatives, the contrary of the greater evil is the greater good.*

23. *Of those things, wherein privation would be hurtful or inconvenient to us, that which would induce the least damage in its loss is the one to be preferred.*

24. That which is virtuous is superior to what is not so.

25. *What is vicious is worse than that which is neither so absolutely, nor tending to vice.* In each of these cases the things affirmed have arrived at

* Ode i. Olymp.

their boundary and end; but it is not so with their contraries.

26. *Things are more commendable or censurable in themselves, according as the effects which they produce are more worthy of praise or censure.*

27. *For this reason, actions will be either more virtuous or vicious, according to the more distinguished virtues or more flagrant vices which have produced them. For effects bear the same proportion to principles as principle and cause bear to effect.*

28. *In things wherein an excess of one in preference to another is more desirable and honourable, that which is advantageous in its excess is superior to the other. For example: as it is more desirable to be possessed of excellent sight than excellent taste, it follows that there is something more to be desired in the former than the latter.*

29. *If it be much more honourable to attach one's self to the acquisition of friends than to that of riches, an attachment to the latter will be less honourable than an attachment to the former.*

30. *And reciprocally, by reversing the two foregoing propositions, we may infer, The more excellent and honourable a thing is, the more so will its excess be.*

31. *In the same way, The more honourable and reasonable the desire of a thing is, the more so will be the thing itself: for desire is increased in proportion to the magnitude of its object.*

The thing of greatest duration is the most useful, by reason of its longer service: the thing least liable to change is likewise so, as it is subject to our discretionary use; which would not be the case if its condition was ever varying.

44. *Of whatever nature any two things, comprised under the appellation of CONJUGATE or PARALLEL CASES, may be, of the same nature likewise will their consequences and dependences be.* For instance, if it may be correctly said, that the import of the word "*valiantly*" (which is a conjugate term) be more honourable and desirable than the import of the word "*temperately*" (which is another conjugate term), we must conclude *valour* to be more desirable than *temperance*, and that to be *valiant* will be, to possess a virtue more considerable than we could acquire by being *temperate*:

45. *Whatever the world in general, or a number of persons, desire, is of more value than what the world does not desire, or that which is coveted but by a few.* This reasoning is conformable with a definition of good already given, viz. "A thing generally desired by the world:"—consequently the good will be of greater value in proportion to the extent of the desire.

46. *Whatever parties adverse to us, our enemies, our judges, or men of experience by them commissioned to judge us, have declared to be the greater good, should be considered as such: for, the approbation*

of our enemies should serve as a general one, and be considered as much so as if the whole world had delivered theirs. The declaration of judges will be also of weight, as they are the only persons possessing authority of decision in such cases, and also on account of their intelligence.

47. *We may sometimes conclude, that whatever the rest of the world participates in, is worthy of the greatest esteem: for it would be, as it were, a matter of reproach, if we had not a share in it as well as others.*

48. *Sometimes we may decide to the contrary; in whatever is peculiar of possession to ourselves, or few others beside us.*

49. *Whatever is most praiseworthy is also most considerable: for, in order to merit commendation, a thing must be honourable.*

50. *That which is most honoured should be most esteemed: for the honour paid to any thing creates its value.*

51. *On the other hand, whatever is followed by the heaviest disgrace is the greatest evil.*

52. *When a thing, generally acknowledged to be very advantageous, or at least appearing so, is exceeded by another, the latter is superior to the former.*

ANOTHER method of representing a thing as greater than others in appearance, is the use of *address*. This consists either in the division of the thing into several parts, which will make it

appear as though it were multiplied, and consequently surpassing the rest in the greater number of its effects. It was this which the poet employed in that passage where the wife of *Meleager* is represented persuading her husband to take up arms in the defence of his country. In painting to his mind the miseries of a city which is sacked, she thus addresses him :

“ Alas! what blood, what tears, what dread alarms
Assail that city hedg'd by hostile arms!
Without remorse the harden'd soldier slays;
The cottage, palace, and the temple blaze!
While barb'rous troops, insulting, drag along
Their helpless victims in the captive throng!”

Or, we may make use of a contrary address to the former, by assembling many things together in aggregate, in the manner of *Epicharmus*. A similar reason with the foregoing may be assigned for employing this kind of address: the gross assemblage of matter enlarges the object upon our view, and gives to it an apparent certainty of producing great effects. Independent of this *address*, and in conformity with our previous remarks upon the importance of a good, which is rare and difficult of acquirement, it is possible to give an appearance of considerable import to a thing, by laying down an estimate of the value attached to its accompanying circumstances, such as *opportunity*, *time*, and *place*, or the *age* and *ability* of the person who acts. For example; if a person has succeeded in an enterprise beyond

his strength and age, which never was thought of by his equals in either; or if he has performed it in a peculiar *manner*, or under a peculiar circumstance of *place*; such an enterprise will, no doubt, be held far more glorious than if it were divested of those circumstances. Besides, this address not only may serve to set a higher value upon actions either *just*, *useful*, or tending to the *acquisition of honour*; but it may likewise serve in the censure of any action to the contrary. An example of this address is to be met with in the epigram which the *Argolic fisherman* composed on himself, after he bore away the prize at the Olympic games:

What different sounds assail my ear!
 The shouts of glorious vict'ry here!
 And those which erst from Argos' down
 Proclaim'd my fish to Tegea's town.

In the same way, the famous *Athenian* general, *Iphicrates*, praised himself upon his elevation to such distinguished honour from the obscure station of a shoemaker's son. "What was I heretofore," said he, "that I am now what I am?"

53. We may fairly infer the consequence also, that whatever is innate within a man, is more valuable than what he *externally derives or acquires*: for the acquisition of *naturals* is more difficult than that of *externals*. Hence HOMER introduces *Phemius* with the following boast:

"Whate'er I know, is from myself deriv'd *."

54. *The most considerable portion of a thing, in itself considerable, should be more esteemed than any of its other parts.*

It was upon this basis that *Pericles*, in his funeral oration delivered in honour of those who died in the service of the state, made use of the following language: "The loss of so many valiant youths should be no less felt by the public, than would the retrenchment of spring be felt by the year."

55. *Those things should be reckoned of greatest good, which are of most service to us in our greatest wants: for instance, in our old age, or affliction of disease.*

56. *Of two things, having relation to the same end, that which is more approximate to it is the preferable one.*

57. *That good which is particularly applicable to ourselves, is of superior value to what is simply a general good.*

58. *That good which it is in our power to acquire if we incline to it, is preferable to any other which we know it is perfectly impossible for us to possess.*

59. *Those goods which cannot be acquired but towards the end of our days, are by far the more estimable: for, being more approximate to an end, they are more participant of its nature.*

* *Odys. l. xxii.*

60. *Whatever holds more to truth, is better than that which is merely dependent upon opinion.* Now, in order to know a case of the latter description, we should examine whether the person delivering an opinion would do so, in case it were not to be communicated. Thus it may be said, "That to receive a favour from a person, is more desirable than to do one; because one would willingly receive always when he could be assured that it was secret." It is not so with respect to a gift, because it is feasible that few would be inclined to give, if their liberality was always to remain secret.

61. *That thing is superior in advantage which we would rather possess effectually than apparently:* for such a thing will hold more to truth. Hence some people conclude, "That justice is a virtue, of which we should not make a great show;" because, say they, "people generally prefer appearing just, to being so in reality." This is not the case with *health*, for we usually prefer its reality to its appearance.

62. *Whatever is useful in its application to the greater number of things, is most estimable.* An instance may be found in whatever at the same time not only contributes to life, but also renders it agreeable, conferring the enjoyment of every pleasure, and inciting to distinguished enterprise: for this reason, riches and health are most esteemed by the world, as sources of the greatest advantage.

particular mode of action affected by each state upon its determinate matters of enterprise or choice, such matters having always a relation to the end proposed.

As far as we have hitherto gone, a summary has been established of those matters, necessary to be known by the deliberative orator, either upon subjects of occurrence or expectancy; propositions of utility, manners, laws, customs, &c. Particularity has not been attended to so much as general observation, because those matters have been more extensively treated of in our *Politics*.

CHAP. IX.

DEMONSTRATIVE RHETORIC.

Of VIRTUE, generally and particularly.

Since virtue or vice, honour or dishonour, are the *ends* of encomiastic or invective oratory, we shall say something respecting them. In doing so, we shall at the same time give an insight into such things as tend to set off the speaker to advantage in the minds of his auditors, and to impress a favourable opinion of his morals. This, as before remarked, is the second species of artificial proof. In fact, whoever would have us believe another man to be honest and virtuous,

will best carry his point by exhibiting those qualities in himself; and, since it frequently happens, that, either in jest, or serious earnest, not only divinities and men, but even things inanimate and animals, may be the subjects of our praise, we shall, on the matter of commendation and censure, as on others heretofore, have recourse to the establishment of propositions which may be of service on those heads. We shall, however, previously enter into a short line of reasoning upon the ideas attached to the terms *honour* and *virtue*.

By the word *honour* we understand, *a thing which being of itself desirable, merits commendation: or, that which in itself being a good, is agreeable merely on account of its being good.*

Allowing us to suppose this definition true, it must follow as a consequence, *that virtue is honourable*; for, besides being good, it is also praiseworthy.

Judging of virtue only by its appearance to us, it may receive the two following definitions:

1. *A power capable of acquiring and preserving to us considerable advantages; or,*
2. *A power capable of obliging considerably; upon important occasions finding nothing difficult of enterprise, and which can do all in all.*

The subordinate divisions of virtue, or, as they are termed, the particular virtues, may be thus classed:

Justice, valour, temperance, munificence, magnanimity, liberality, clemency, prudence, and wisdom.

Upon the datum of virtue being what was just now said, we should rank among its principal subordinates, *those which are of considerable utility to others*, as the province of virtue consists in obliging. For this reason, the principal distinctions of honour among men are paid to the *just* and the *valiant*; as the former render particular service in time of peace, and the latter are distinguishingly useful in time of war. Next to these the *liberal* man is most honoured; for, instead of scrambling for money, —the idol of all others' research and adoration, —he never feels more enjoyment than in the distribution of it by largesses, &c.

Of particular Virtues.

Justice is defined to be, *that virtue which preserves his property to every individual of a state, conformably to the laws and ordinances therein established*. Its contrary is a *vice*, which stimulates to the usurpation and withholdment of another man's goods, contrary to the intention or expression of those laws.

Valour, or *courage*, is that virtue which leads to the undertaking of brilliant actions even in the midst of danger; but upon the condition of such

enterprise not militating against the prescription of law. It may also be exhibited in maintaining the respect and vigour which is due and necessary to the laws.

The opposite *vice* is termed *cowardice*.

Temperance is that virtue which induces us to comply with the law respecting sensual gratification.

Intemperance, or *debauch*, is the opposite *vice*.

Liberality is that virtue which considers riches only as the means of obliging and doing good.

Its contrary is *avarice*.

Magnanimity is a virtue which delights in rendering service upon matters of importance, and trying occasions.

Pusillanimity is its opposite.

Munificence is a virtue which takes pride in a splendid display of large expenditure.

Its contrary is *meanness*.

In fine, *prudence* is that virtue of the mind, which, in respect of the good or evil, already said to be contributory to our happiness or misery, leads us to distinguish between them, so as not to mistake the one for the other.

Common-place Positions of Praise.

Having considered virtue and vice both generally and particularly, so far as suits our purpose, it will not be a matter of hazard or diffi-

culty to come to the following series of conclusions :

1. That whatever contributes to render a man virtuous, is honourable.

2. The same may be concluded of *whatever is derivative of virtue either primarily or by consequence* ; such as all the marks and signs of virtue ; and the products of it.

Upon these data, with respect to virtue in general, it will be equally fair to conclude of virtue in particular. For example :

3. *Whatever is a mark or effect of valour ; even the sufferings of those who have conducted themselves valiantly are honourable.*

The same may apply to every one of the particular virtues, with the exception of justice ; only, however, in that part of the latter relating to the sufferings which it causes ; and even here again partially. For example : it would not be so honourable to *receive* a just, as it would to *suffer* an unjust, punishment.

4. *All actions are honourable which propose honour for their reward.*

5. The same may be said of *those things which bestow more honour than worldly profit.*

6. *All things are honourable which for their own sake are sought after, if the agent employ himself rather for others than himself.*

7. The same deduction applies to *every thing merely good in general.* For example : whatever

a person undertakes to the prejudice of his own interest for the glory and safety of his country.

8. *Whatever is naturally good is also proper and honourable.*

9. *Whatever is not merely a selfish good, but rather applicable to the use and enjoyment of others, is honourable: for in this case possession is disinterested.*

10. The same may be affirmed of *the tribute rendered to a person posthumously rather than while living*; for interested persons are generally agents in the latter case, paying less regard to the real merits and virtues of him whom they honour, than to his credit with men, and the power which he possesses of obliging them.

11. *We may account as honourable all public works, and whatever is done for others: the agent being the least concerned in the issue.*

12. The same conclusion will be applicable to *every enterprise happily achieved, and all business successfully conducted, provided the interest of others be consulted rather than our own.*

13. It may be equally concluded of *whatever we have done to the advantage of those who have obliged us: for gratitude is justice.*

14. *Every benefit we confer is an act of honourable propriety: since it is directed towards others, and returns nothing to ourselves.*

15. *The opposites of those things which cause a person to blush, or otherwise excite shame, are honour-*

able: for, to blush is to give testimony against something either indecent or improper in our conversation or actions, or of our intention to say or act things of such a nature. Hence we find *Sappho* well remarking upon this head, in the passage where *Alcæus* is introduced addressing her in the following language :

ALCÆUS,

In vain would passion prompt my tongue to say
That which respect for *Sappho* must delay,
And shame the courage of desire away. }

SAPPHO.

At this confession I am sorely griev'd,
Nor could desires like thine have e'er believ'd;
For, if legitimate, unchang'd with crime,
They spurn alike both circumstance and time;
Nor would thine eyes thus downward now be bent,
But by the conscience of some bad intent.

16. We should equally account as honourable, *whatever causes us anxiety and care, provided that we find at the same time no inward cause of apprehension*: because the former feelings can only arise out of emulation, or our having designed to acquire some one of those goods, or eminent advantages, which regard our fame and reputation.

17. *The works and virtues of the most perfect persons are also the most distinguished and most deserving of honour*; for example: those of men, in preference to those of women.

18. *There is more honour attached to what is directed more towards the profit and enjoyment of others, than of him by whom it is possessed. For this reason, justice, and every thing partaking of its quality, is held in particular honour.*

19. *There is more honour in the design of avenging ourselves upon an enemy than of making matters up with him; for, to retaliate on an enemy is just, and therefore honourable. Besides, it is the duty of a man possessing generous feelings, not to yield to his enemy, and not to endure being trampled on by him.*

20. *Victory and worldly honours are highly estimable; for they are so far desirable, as that, although they are unproductive of real advantage, yet the possessor is endowed by them, with the semblance of extraordinary merit and exceeding virtue.*

21. *We may also reckon honourable whatever preserves the memory of a man after death, by making him the subject of living conversation.*

22. *The more any thing is capable of producing the above-named effect, the more honourable it is.*

23. *As also, of what is not contingent to us, except after death.*

24. *Every thing is honourable which is followed or accompanied by honour, glory, and reputation.*

25. *All things of an extraordinary and excelling nature, are likewise honourable.*

26. *As are those things which none but ourselves*

possess: for, being more remarkable than others, they will be more apt to make us spoken of, and bring us into notice.

27. *There is honour in such acquisitions as bear no relation elsewhere*: because they shed greater lustre on the liberality of their possessor.

28. *Those things which are peculiar to a nation or people individually, are equally honourable.*

29. The same may be said of *whatever serves to designate those things which by each country or people are particularly esteemed*. For instance: it is honourable among the *Lacedæmonians* to wear long hair, as it is considered with them a mark of liberty and independence. In this there is some reason, for it is not very practicable for a man, with long hair, to perform servile offices. Another custom among that people is, their allowing the exercise of no mechanical art, it being incompatible with liberty to depend on, or be subject to others.

Modes of Address whereby Praise or Censure may be unworthily bestowed.

Independently of the propositions and inferences which we have just laid down upon the subject of *praise* or *censure*, they may also be effected by *address*: and, first, instead of ascribing to the person, whom we would panegyryze or inculcate, the true qualities which he possesses, by making use of such as *resemble* or *approach*

them. For instance, in speaking against a man who is *really valiant*, but who makes use of *stratagem* in war more than strength, we might call him "a poltroon whose courage was alone efficient in detecting treasons or laying ambuscades." On the other hand, if the *niggard* is to be praised, we have only to extol his parsimony as *prudence*. And to the man who is insensible to insult, we might apply the terms *mild* and *peaceful*. In a word, we should endeavour to ascribe a virtue to each defect or vice, by attributing to them a denomination from matters usually attendant or consequent upon them. Thus, speaking in favour of a *rough* and *choleric* man we would say, "He is candid and open, and cannot dissemble." Thus we might equally shelter the *haughty* and *arrogant* man under noble demeanour, and conduct befitting his quality.

Secondly : address herein may be made use of, by attributing the distinction of virtue to transgressions of excess : such as by naming *rashness*, *valour* ; or giving the appellation of *liberality* to *prodigality*. For, besides the deceit which may be carried on in their names, a thing may also be made to pass as virtuous by a false line of reasoning ; as thus :

"The man who unnecessarily runs into danger, must be expected to perform wonders when borne thither at the call of honour."

In the same manner, reasoning upon the conduct of a prodigal man, we might say :

“ Is it to be believed that the person who is indiscriminately liberal to every petitioner, should abandon his friends in their necessities, and show an avaricious disposition towards them alone ?” For prodigality really seems the effect of an extraordinary virtue and bounty carried to excess.

Another observation to be attended to on the head of praise, is the necessity of being cautious before whom we speak. Hence it was that SOCRATES, not without reason, remarked, *“ That it was no difficult matter to praise the ATHENIANS in speaking to the ATHENIANS.”* According then to the persons before whom the orator is to appear, he must see what things are held in particular estimation by them ; and next, he must speak of such things as if they were truly estimable. For example : the same address will not apply to the *Scythians*, the *Lacedæmonians*, and the philosophers. In short, he should bring under the head of real honour what is simply honourable, and only so in the estimation of a few persons ; in fact, there is seemingly no great difference between both. Besides this, in praising a man it is necessary to investigate his actions, and be assured whether they have been befitting and agreeable to his condition and quality ; whether he has done any thing worthy of his birth and ancestry ; whether

his recent correspond with his past acts, or with the expectations formed of him ; for there is not only happiness, but glory also, in the continual increase of reputation and of honour. It will be also right to examine on the contrary side, and by proofs of such a nature there is certainly the finest opportunity of panegyricizing a man ; as, for instance, by demonstrating, " That he never forgot himself in the midst of prosperity, but was as modest as before." Or, taking the contrary, " That in the adversity and trouble of his concerns, he supported himself as he ought, and appeared as generous as ever." Or again, " That being of low condition, in proportion with his elevation to honour and office, he became more and more condescending, and easier of access." Hereon is founded the self-praise of *Iphicrates* and the *Argolic fisherman*, as we before observed. Such also was the praise bestowed by *Simonides* on *Archedice*, whose demeanour to the whole world was so courteous and obliging, though she was, to make use of *Simonides'* own words,

" The daughter, wife, and sister, of puissant kings."

Upon the whole, as praise is principally directed towards the actions of life, and since it is the province of the virtuous man never to act but from design, it is necessary for the eulogist to endeavour to demonstrate that the object of

his praise has never acted by chance, but with intent and deliberate purpose. He must illustrate this, by the corresponding uniformity of the person's actions, and by collecting together the whole occurrences of his life, whether fortuitous or opportune. To these he must attach the value of determined resolution and particular study. When we can ascribe to a person a series of actions thus correspondently similar, it is, in a manner a prejudice in favour, or a certain proof, of his being effectually virtuous, and having done nothing but from fixed design.

Different Species of Eulogy.

Of these we may reckon three :

The *first* (ἐπαινος) regarding the heroic virtues, and such as are confirmed by long habit. It is defined, *A discourse which sets forth to the world the knowledge of a distinguished virtue.* In order that praise of this kind should obtain credit, it must be proved that the actions of its object have been habitually the result and the effects of some eminent virtue.

The *second* description of praise (ἐγκώμιον) rests upon each particular work and praiseworthy action of an individual. The most feasible method of impressing belief and inducing persuasion upon any matter of *encomium*, is, to introduce those circumstances which are usually contingent to it, such as birth, education, &c. For, consti-

tuted as the world is, a probability in favour of our honour is deduced from our being descended of honourable ancestry ; and in point of education, that every man's conduct is conformable to the manner in which he has been reared. Hence we give the greater praise to those whose actions correspond with their birth and education, because they are apparently of confirmed purpose to good, and proceed from habit. So true is this, that even though a man has performed nothing distinguished during his career, yet he obtains the tribute of our praise if he adhere to this educative standard of action.

The *third* description of eulogy, to which two names are assigned by the Greeks (*μνηστικός* and *αἰμαμονισμός*), (though both are of the same import,) consists in the *congratulation* of a man upon his consummate prosperity. This kind of praise differs from the two others, inasmuch as its subject is more comprehensive and extended ; for, as supreme happiness infers the possession of every virtue, so does this division of praise comprehend the two foregoing : not being confined, like the first, to any particular virtuous habit ; or to any single commendable action, like the second. On the contrary, it deals generally in the whole range of the virtues and rich endowments of the mind*.

* This description of eulogy, from its universal tenour, may be with propriety termed *panegyric*.—TRANSLATOR.

Affinity of DEMONSTRATIVE *to* DELIBERATIVE
RHETORIC.

Upon the heads of counsel and praise we may make one observation, to prove the conformity of both.

For the matter which the orator advances as the subject of advice, may become, by a trivial alteration in the fashion of his discourse, equally the subject of praise. Hence it follows, that once possessing a knowledge of what is necessary to be done for the acquirement of praise, and of the qualities appropriate thereto, we shall very easily form precepts upon every subject connected with it, by a mere variation of phraseology. For example: if we were to say thus:

“ We should never avail ourselves of, or derive advantage from, the goods of fortune, but from our virtue alone, and from those goods which properly appertain to us”—

The sentence thus expressed is a precept of pure counsel; but by the slightest change it may be rendered into one of eulogy; as thus:

“ Never did that man derive advantage from the favours of fortune; and when he did avail himself of any thing, it was of his own merits and virtues.”

Whenever, then, we praise a person, we should attend well to the counsel we would give him, when inciting him to the undertaking of

a distinguished action; and, on the other hand, when we would give counsel, we should particularly apply our judgment to, and examine the nature of, those actions which really merit praise. The expression in both cases must of necessity be different; that of censure being prohibitive, while that of praise is not so.

Of Amplification.

In the use of this there is no inconsiderable address. It consists in enlarging, by additional circumstances, and consequently giving to an action a considerable appearance: as we might say of a certain agent, that he was either the first, or only person, who ever attempted a certain enterprise; or we might show that he executed it with very trifling assistance; or that no other person ever signalized himself more in that particular:—for these circumstances being remarkably glorious, deserve particular praise.

The *time* and *occasion*, as heretofore observed, will also contribute to increase the value of an action. The praise of a person may likewise be amplified, by showing his repeated successes in similar enterprises: for, besides the greater admiration of his present achievement, it will also serve to prove, that it was not by hazard, but by his virtue and skill alone, that he succeeded.

It will also be of advantage to remark, whether any one of those things which are done for the purpose of creating emulation and inciting to illustrious deeds, has been invented and established for the peculiar purpose of honouring him who is the theme of our commendation ; or whether he be the first on whom public eulogiums have been pronounced, as was the case with *Hippolochus* : or, in fine, whether his glory could compete with that of *Harmodius* and *Aristogiton*, who were the first persons to whom the *Athenians* erected statues in public places. Such an investigation will not only serve to embellish an action, and set it off to greater advantage in respect to the person whom we praise ; but it may also serve to a contrary effect : namely, to deform the life and actions of him who is the subject of our censure.

Address in praising a Person who has done nothing praiseworthy.

If it so happen that the man whom we intend to panegyricize has done nothing which can furnish matter of favourable report, in this case, recourse must be had to parallels and a comparison of others with him. In this mode of address, *Isocrates*, who neither practised at the bar, nor studied judiciary rhetoric, has frequently indulged.

With regard to comparisons, in this place, it must be observed, that the persons whom we

select should be illustrious and of high repute ; for nothing can aggrandize a man's praise more than by showing that he possesses more brilliant qualities, and has achieved more virtuous actions, even than those who, in the world's estimation, have been accounted eminently virtuous. But, in proof of the utility which praise derives from amplification, we need only affirm that eulogy loves excess, and searches but for what is extraordinary and supremely excellent. As has been before remarked, that excellence, which proceeds to a commendable excess, is to be ranked among honourable things. If the person whom we praise is not of sufficient distinction to be compared with certain others who are illustrious, we must look elsewhere for subjects of comparison. In whatever manner a man rises above another, his elevation, or degree of eminence, is a testimony of his merit.

Of Things particular to each of the three rhetorical Divisions.

Summarily speaking upon each of the two rhetorical parts already gone through, and the one remaining to be discussed, we may remark, that to none is *amplification* more necessary or appropriate than to the *demonstrative* ; for this reason : that the panegyrist always takes for his subject, things which are really true, and are so recognised by the world ; his only

occupation then is to embellish and add lustre to actions of such a description.

Examples are more befitting the *deliberative* part of rhetoric, because the judgments which we form in all our designs of enterprise are founded upon that conjecture which the past gives of the future, and upon the relation between what has been done, and what it is possible to do.

Enthymems suit the *judiciary* rhetorician best, because, in subjects of this kind, he treats of matter of fact, and pronounces judgment upon what has passed: matters wherewith people are not always conversant, and which may be called in question;—he therefore should assign particular reasons in proof of the thing done, and why it was so.

No other precepts or positions of topic, or address, are, I imagine, requisite, beyond what have already been given, respecting eulogy and its opposite.

All our canons of position have this benefit, that as the series go by contraries, each one gives a knowledge of that which is contrary to itself, at the same moment in which it is itself discovered.

Whatever has been said respecting matter of *praise*, will apply, by contraries, to matter of *censure*.

CHAP. X.

JUDICIARY RHETORIC.

Of Injuries or Wrongs.

The subjects of which we now are to treat, relate to *accusation* and *defence*; it is, therefore, necessary to know the amount and quality of those topics, whence judiciary rhetoric derives its arguments. But it is of previous importance to be acquainted with the three following points :

1. The nature and number of those things which incite men to be mutually noxious.
2. What persons are so disposed, and the nature of such dispositions.
3. On what persons the injurious fasten, and the state necessary to their making impressions.

These three points we shall endeavour to illustrate, after we have defined what is meant by "doing a man an injury."

We are to understand that it arises out of "one man's voluntarily hurting another contrary to the prohibition of law." But of law there are two kinds, one *particular*, the other *common*. Particular laws I call such as are written, and serve as a rule to any state; and I call those common, which are not written, and which seem to have been instituted with the common consent of *all* states. As to *voluntary*

action, every man acts so who is not compelled to, and who is thoroughly acquainted with, what he does. Not, however, that every voluntary act proceeds from deliberate purpose and design; but, whatever is deliberately and designedly done, is also done voluntarily, and with a knowledge of the cause; for it is impossible that a man should be ignorant of what he proposes and determines to do. But in order to know the reason why men are given to the commission of wrongs contrary to what is enjoined by law, we must observe, that the inclination arises out of two causes, *vice* or *passion*. For it is remarked, that, generally speaking of vicious persons, whether their vices be many, or whether they be ruled but by one, they are never malicious nor injurious, but in matters touching their predominant vice. Thus the *avaricious* man is given to do wrong merely for the sake of money; the *debauchee*, through the hope of enjoying some pleasure; the *indolent*, to the indulgence of *his* ease; the *coward*, in order to avoid danger; the *ambitious* man, from the expectation of honour; the *choleric* man acts wrong in the transports of anger; the *man fond of conquest*, only in his pursuit of victory; the *vindictive*, for the accomplishment of his revenge; the *witless* is only injurious by his folly and stupidity, in not discerning the difference between justice and injustice, and his incessant liability to be deceived

on that account: in fine, the man of *effrontery* and *impudence* does wrong because he is lost to shame, and laughs at reputation. So it is with regard to all other vices, and those who practise them; each man being led away by his own particular vice. This will be treated of more at large when we come to consider the passions. It remains to show, for what reason, and with what disposition of mind, people are addicted to do wrong, and the persons on whom the injuries generally fix.

Of human Actions and their Causes.

We shall here, in the first place, point out those things, a desire to possess or to avoid which, induces an endeavour to hurt, or do injury to our neighbour.

The advocate for the accusation should principally direct his attention to this point; namely: What proportion of those things we have just spoken of, and which tempt and induce men to the commission of wrong, confers an advantage on the one party over the other. On the other hand, the advocate for the defence should, with respect to his client, examine, to the end of justification, how far remote, even from suspicion, he was upon such matters. In the next place, it is to be noticed, "*that, absolutely speaking, there is nothing which men will not do;*" and in this general circle of their extent of action, one

part flows from self-agency; the other, *from extraneous impulse*. In the latter rank of action, we may make a division, first, into actions of chance, and, secondly, into those of necessity.

Of things done from necessity, there are, likewise, two descriptions: the one *voluntary*, the other *natural*. So that all the acts of man extraneous of self-agency, may be referred to three principal causes: hazard, nature, and constraint. As to those things wherein man is his own agent, independently, they may be classed under four species; for some men act *habitually*, others from *inclination* and the *call of appetite*.

Of appetite again there are two kinds; one *sensual*, the other *rational*: to either of these mankind is differently attached. Rational appetite is nothing more than *will*; it may be defined, "*The desire of good controlled and regulated by reason*;" for no man wills that which is not his good. Sensual appetite recognises two different principles of stimulation; *anger* and *concupiscence*. Now, in the investigation of all our actions, we shall find them attributable to seven causes, namely, to

Hazard,
 Constraint,
 Nature,
 Habit,
 Reason,
 Anger, and
 Concupiscence.

It would be superfluous to enter into a more detailed distinction of causes; such, for instance, as a man's particular habits, particular age, &c. It is a certain fact, however, that we should not calculate the anger or disposition to pleasure which is observable in young persons, upon the mere grounds of their youth, but upon the ebullition of their passion, and the unbridled sallies of their lusts. So it is in the case of a rich and a poor man. We should not lay the charge of culpability in either, to the circumstance of wealth in the one, or of poverty in the other; and, though it may be said that the poor frequently wish passionately for money, on no other account than to answer their necessities; and that the rich form an infinite number of vain desires, and go in search of unnecessary pleasures, merely because they possess abundant means of completing their wishes:—yet, it does not follow from this, that such desires in one party are simply the effects of their wealth, nor, in the other, of their poverty; but, in both cases, the desire is to be referred to *concupiscence*.

In like manner we may affirm of the just and unjust; and, generally speaking, of all those whom we consider to act, from certain varied habits of the same quality; for, the acts of such persons can be referred to no other causes than those already observed, as they must always be the effects either of some reasonable persuasion, or

some impelling passion. The only difference lies in this,—that one class of agents possess more commendable manners and passions than the other. In truth, I agree that every habit being always in conformity with its nature as to its accompaniments and consequences, it commonly happens, that certain particular actions are incidental to a man, merely from his having contracted that certain habit. For example: the man who is temperate, cannot, in the first instance, possess certain honest desires, nor be persuaded of the sentiments which it is necessary for him to entertain respecting the pleasures of life, but because he *is* temperate. On the contrary, that a debauchee indulges such and such dishonest sentiments and desires, merely because he *is* debauched. These distinctions are too trivial, however, to merit further notice.

What we have to examine, in the next place, is, what *customarily* happens to certain descriptions of persons, and persons of certain qualities. And this more particularly, because the difference of constitution in men does not always infer variety in their sentiments or manners. For example: it is not because a man is black or white, tall or dwarfish, that he should be influenced by a particular manner or passion; but the point to be considered is, whether he be old or young, good or bad; in a word, our research should extend to those things which,

by their fortuitous occurrence, cause a person commonly to alter his habits and sentiments: such, for instance, as the case of a person imagining to himself that he is rich or poor, happy or miserable. This, however, is not a fit place for entering into a discussion of such subjects.

We shall now finish what remains to be said with regard to the explanation of the principles and causes of human actions.

In the first place, then, *fortune* or *chance* is assigned as the origin of any thing, either when the producing cause is purely unfixed and indeterminate—when the intent or design of action is not apparent—when the manner of its event is not conformable with general nor ordinary occurrence—or, finally, when it is not founded upon any fixed rule or order.

These conditions, indeed, have heretofore been included in our definition of fortune and chance.

In the second place, a thing is originated by *nature* when it contains within it the principle of its production, which must also observe a certain order. It matters not, whether the occurrence of the thing be of necessity, or in compliance with what has been usual, since it can only happen in one way, let that way be what it will.

As to the extraordinary effects of nature, in apparently violating its own rules, or thwarting its own designs, we cannot here make any par-

particular inquiry; neither can we say, whether the production of such effects be strictly adherent to the design of nature, or attributable to some different cause; for, after all, it might be said, that such effects were the mere work of fortune and chance.

With respect to *violence* and *constraint*, it may be held, that an act is performed under their influence, when the agent acts against the dictates of his own opinion and inclination. A man acts from *habit*, when he does any thing merely on the grounds of his having frequently done so before.

Reason is to be considered the source of action, when a thing is done with the sole intent of acquiring some one of those *goods* which we have observed to be attended with apparent profit and advantage; and this, whether the pretension of the agent be confined to the possession of one particular *good*, which he lays down as his exclusive aim and object, or whether he considers that only in the light of a *mean* towards attaining some other thing which is of greater importance. This condition must, however, be observed, that the agent act only with the design of deriving advantage from the object of his agency. We must, in this place, take particular care to avoid confounding, with such a principle, what is daily to be observed among debauchees, whose undertakings frequently as-

sume the appearance of gain and advantage, while, in fact, their intention, at the moment, is no other than that of subsequently enjoying more at their ease, and creating a more protracted debauch in, those pleasures to which they are attached.

As to matters connected with *anger* and *animosity*, they may simply be referred to the consideration of *revenge*, between which and *chastisement* there is an important difference. The latter is always supposed to be with a view to the good of the person corrected; while revenge has for its object only the satisfaction of the person who desires it. In our treatise on the passions, we shall more amply discuss the nature and origin of anger.

Finally, *concupiscence* is the motive of action in every thing which possesses the apparent capacity of pleasure. Under this head I wish to comprize whatever is done from usage and habit. Custom has the property of influencing, by a pleasant zest, that which, without it would be unpleasant. To cut this matter short, it is certain, that there is nothing, wherein a man himself is the agent, which is not either really or apparently *good* and *useful*, and equally *agreeable*, either effectually or in appearance. Besides, since every thing done by self-agency is voluntary, and the reverse is constrained, it is certain, with respect to the agents, that their objects of

action contain nothing but what is really or speciously useful or agreeable. In the catalogue of good and advantages, I not only class every deliverance from evil, real or apparent, but also the commutation of a greater for a lesser evil, since such an exchange is naturally desirable. In the enumeration of things which are *agreeable* I reckon the deliverance from what is *troublesome* and *annoying*, whether real or specious, and, upon the same grounds, the exchange of one thing more unpleasant, for another which is less so. Thus, since *utility* or *pleasure* are the stimulants to all a man's actions, for that reason the orator should be acquainted with the number and quality of those things which have any connexion with either. We have already spoken of things which are *useful*, we shall now come to treat of those which are *agreeable* and productive of pleasure.

It is necessary, as we are on the subject, here to warn the student against adhering too narrowly to the definitions we have given, since it is of trivial import to rhetoric whether they be more precise than is requisite to prevent their being obscure.

CHAP. IX.

Of Things conducive to PLEASURE.

Taking it for granted that *pleasure is a certain, sudden* emotion, or change in the mind, which is sensible to our perceptions, and conformable to the state required by the demands of our nature; and that pain is the opposite to this, it follows :

1. That every thing capable of producing the state first described must be agreeable ; while every thing destructive of it, or occasioning its opposite, must be disagreeable.

2. That it is for the most part agreeable to perceive ourselves arrived at that condition which is requisite to our nature, particularly if the attainment be as perfect as it is possible to be.

3. All manner of customs are agreeable, since custom is in some measure identified with nature ; and nothing bears so strong a resemblance to the latter as the former. Add to this, that there is but a short interval between what is very frequently, and that which is invariably done. *Custom* is the regent of the one, and *Nature* of the other.

4. Every thing done without constraint is agreeable ; for violence is the enemy of nature. On this account, every occasion of action which

arises from necessity is disagreeable. Evenus, the poet, has well remarked, that,

“ From force an inconvenience ever springs.”

This being the case, we should account as *troubles* all inquietude, care, study, and heavy applications of the mind; such actions being ever attended with constraint, if they be not customary. Habit alone can reconcile and soften them.

5. The opposites of those violent actions just mentioned are productive of pleasure; for instance: indolence, laziness, negligence, amusement, rest, sleep, &c.; such things being completely emancipated from constraint.

6. There is pleasure in every thing to which our appetites or desires have a tendency; for desire is but an inclination to the enjoyment of whatever is agreeable. We have already remarked upon the two species of appetite in man, reasonable and sensual. By the latter I understand whatever a man desires without reflection or examination. This desire is properly termed natural, and relates but to the satisfaction of our corporal necessities. Such, for instance, are *hunger* and *thirst*, which are given to the body for the purpose of inciting it towards the aliments necessary to the support of its existence; in like manner with all other desires respecting nourishment in particular. Such also

are the desires which tend to love and good living; in fine, all those which flatter the various senses of touch, taste, &c. &c.

By *reasonable appetite* I mean that which leads to the desire of a thing, only because we are persuaded that it is good; for there are many things which we would never desire either to see or possess, if we did not hear them esteemed and cried up, at the same time that we verily believe them worthy of our possession. Now, since pleasure consists in feeling ourselves moved and affected inwardly by some passion, and our imagination, if well considered, is a feeble and imperfect draught of that feeling: in a word, since it is neither possible to hope for, nor remember any thing, without forming, at the same time, in our imagination, the idea or image of the thing hoped for or remembered,—it necessarily follows,

7. That there must be great pleasure in the perfect remembrance of a thing, or the high expectation of possessing it; for, according to what we have just said, this will be, in a manner, enjoyment and present possession of the thing with regard to our senses. So that it is necessary that we receive pleasure in some one of the three following ways:—First, by having a thing really present to, and in the real enjoyment of our senses; secondly, by the remembrance of previous enjoyment; and, thirdly, by our hopes

of one day possessing and enjoying it. With respect to time, enjoyment regards the present, memory the past, and hope the future.

Memory represents nothing which is not capable of bestowing pleasure; for it not only conduces thereto, by recalling the image of things which were agreeable at the period of their enjoyment, but also by representing things of a contrary nature, which it was formerly irksome to endure. In the latter case, there will be increased pleasure, if the person who employs his memory have made a transition from past labours and misfortunes to present glory and repose. This it was which caused *Euripides* to say,

“Sweet is the mem’ry of a peril past.”

And again in *Homer*,

“How pleasing, when our recollection strays
Along the path of travers’d, adverse days!
And yet more pleasing, if, to gain the shore,
Ourselves have steer’d the helm, have plied the oar!”

ODYSSEY XV.

The reason is obvious: namely, the existence of pleasure in the exemption from pain.

As to *hope*, we can never employ it, without producing pleasure at the same time, upon any thing which seems either promising enjoyment by its presence, likely to confer some great advantage, or which seems simply useful without

inconvenience. In fine, every thing which by its presence creates joy, commonly brings pleasure to those who expect its possession, or recollect its enjoyment.

8. There is even a considerable pleasure in anger; as *Homer*, speaking of this passion, has justly observed:

“No honey e'er from any flow'r's exprest,
More sweet than anger in the human breast.”

ILIAD xviii.

For we never put ourselves in a passion with persons on whom it is apparently impossible to be avenged; nor with those who have, beyond comparison, more credit and influence than ourselves: or, if we should happen to do so, it will be in less numerous instances than with others.

9. The greater part of our desires are accompanied by pleasure: for whether it flow from the recollected enjoyment of an object which we desire, or the hope of speedily enjoying it, such a state will always induce an indescribable pleasure. For example: the person who has suffered under thirst during a fever, will enjoy considerable delight from remembering that he satisfied his thirst on that occasion, or from the hope of an equal gratification upon a similar case of necessity. The same may be remarked

of persons passionately enamoured, who feel a constant source of enjoyment in conversing upon the object of their flame; in thinking of, writing to, or in any other thing which has a reference to that object. In all those cases, the circumstance which constitutes the principal enjoyment, is that, while the object is present to their memory, it seems really to be with them in substance. This is the principal criterion for judging the commencement of love's empire over the mind, not only when we wish to dwell continually with the person whom we love, but when our affection survives absence, and we cannot avoid turning our thoughts towards the object, and when distance afflicts us, because it removes us from her sight.

10. Pleasure will exist even amid wailings, sighs, and grief. For, if sadness on one hand sensibly depresses us, by the irreparable loss of one whom we lament; on the other, it gives pleasure and consolation, to represent to ourselves that person, such as he was, in all his actions, and as if he were present before our eyes. Homer illustrates this in his divine poem :

" He spoke; and his discourse made sorrow dear,
Gave charms to the sigh, and pleasure to the tear."

ILIAD xxiii.

11. Revenge is sweet; since by as much as it

is disagreeable to be deprived of the ability to compass our wishes, by so much it is the more pleasing to perceive their success. But, if we be enraged with any person, and lose an opportunity of revenge, it is extremely annoying; while, on the contrary, we are generally appeased even by the most distant expectation of vengeance.

12. Victory has the charm of pleasure, not only with those who love conquest, but with every description of men, since it supposes that pre-eminence to which all men are so much attached, either more or less.

13. All games and diversions which give rise to contests between parties, are agreeable: and this without distinction, whether the lists be formed between musicians, wrestlers, or literati; the object and conclusion of all being victory.

14. The same may be said of games at dice, ball, cheques, &c.

15. Even the most grave and serious games are agreeable; for though not amusing at first, yet they are conducive to pleasure by custom. Those which bestow immediate pleasure, are the sports of the chase, all methods of entailing beasts, &c.

16. The profession of the bar, and scholastic disputations, are extremely pleasing to the successful practitioner in both.

17. Among the things which confer the highest pleasure, are *honour* and *reputation*, by reason of the opinion which a man forms within himself, and is persuaded of; namely, that he really is an honest man, and such as the world proclaims him.

A man is always more easily led by this opinion of himself, when he reflects that he is eulogized by those who esteem him; and who, in so doing, express the true sentiments of their hearts. For instance, the repute of a man among his neighbours, is preferable to that in a more distant quarter; and the esteem of our familiar acquaintances or fellow-citizens, much more desirable than that of strangers and foreigners; the esteem of the living is superior to that of the dead—and, in a word, the regard of persons distinguished for wisdom and prudence, far surpasses that of the unthinking part of mankind. To this we may add, that the greater the number of those who esteem us is, the more preferable is that reputation, because it is apparent, that in the greater number there must be found more chances of the truth than in the lesser one.

All descriptions of esteem are not equally considerable; for we do not regard either the honour or reputation which flows to us from a contemptible source, such as fools or children; and if any show be made of attending to such a re-

putation, it proceeds from interest, or some other similar motive.

18. The possession of a friend is truly agreeable, because there is a pleasure in affection and fondness; for, show me the drunkard who does not manifest a gladness in beholding his favourite liquor!

19. There is a pleasure in being loved; for this presupposes to our imagination, that we possess some amiable quality which has attached the person to our affections. To be loved, implies a personal, not an interested regard towards us.

20. To be admired is also a thing which is agreeable; for honour is always the accompaniment of admiration.

21. Flattery and flatterers are pleasing; for the adulator appears in the double light of an admirer and a friend.

22. A frequent repetition of the same actions is productive of pleasure; for, as has been already observed, habit or custom is agreeable.

23. It may, however, be equally asserted, that variety is pleasing; as every change seems conformable to the intention of nature. In fact, to do the same thing always, begets a certain disgust at, and testifies an excess in, the habit so contracted. This it was which induced the poet to say:

" Variety in all things has its charms."

EURIPID. in OREST.

For this reason, every thing which we have not seen for some time, appears the more agreeable when we do see it ; for, besides the variety arising out of contrasted presence and absence, the thing also acquires the quality of being rare.

24. To learn and to admire a thing, is equally pleasing, since it creates a desire to be acquainted with its nature ; every object of our admiration necessarily attracting our ideas of it. The mind is also perfected by learning any thing, and either arrives, or is in progress, by such means, towards that excellence, to which, from its nature, it aspires.

25. A reciprocity of obligation is attended with pleasure ; for, in the passive part, we acquire the object of our wishes ; and in the active construction of the term, we evince the possession of what is desired by him, whom we would oblige, besides manifesting our superiority over him ; two circumstances of ardent desire amongst men.

26. There is a pleasure in remonstrating with our friend, and correcting his failings.

27. To finish what we have commenced, is both desirable and pleasing.

28. A perfect imitation of any thing is agreeable ; as in works of painting, sculpture, or po-

etry; in fine, of any object giving room for imitation, however disagreeable it may be in itself. The pleasure arising from a fine imitation does not exactly proceed so much from a consideration of the qualities in the original, as from our own internal reflections. For we are apt to say then, "This copy is so exact a resemblance, that it seems rather the thing itself, than its simple representation." In such cases we always learn something new.

29. Certain reverses of fortune (*αερίπρετοι*) and unexpected events, such as we commonly meet with in theatrical representations, are attended with pleasure.

30. It is agreeable to reflect that we have been in imminent danger, for such a situation is creative of wonder and surprise.

31. All things similar in their natures and kinds, or between which there is a resemblance, are mutually productive of pleasure, the one to the other. Herein there is an exact conformity to the design of nature. And hence arise the numerous proverbs:

"Birds of a feather flock together."

"Equals please equals."

"Every beast seeks and knows his brother beast."

"Like loves like," &c.

32. All men in general, are more or less attached to each other; for there is nothing which

possesses the qualities of conformity and resemblance, more than a person compared with his fellow-man.

33. Men are attached to, and take pleasure in, whatever proceeds from themselves ; such as their works, discourses, or arguments. This will serve to illustrate their love of those who flatter, or profess affection towards them ; that they are jealous of, however, and are particularly attached to their offspring ; for nothing can be more properly styled the work of a man than what he has put into the world.

34. A man feels delight in completing a work which another has left imperfect ; the completion giving to him a sort of property in the thing completed, by reason of its having been rendered entire through his means.

35. There is an infinite pleasure in being accounted a wise and prudent man ; inasmuch as authority and command are desirable objects ; but which no man is competent to, excepting him who possesses the royal virtues of wisdom and prudence. We may take the definition of wisdom to be, " A science, which enlightens by the great variety and extent of its knowledge, and which can account for the most curious and admirable effects."

36. Men being extremely desirous of receiving honour, and ambitious of distinction, will not only take a pleasure in resuming the works of

others, and correcting their imperfections, but will also apply themselves to original occupations in matters which they believe will succeed, and be eminent above others. Hereupon, Euripides has well observed in the following verses :

“ The skilful artist, with his work well pleas'd,
Incessant labours, and fresh courage gains;
And though by frequent repetitions teas'd,
T' outstrip his former self repays his pains.”

37. Besides,—as we have already shown, that diversion is to be accounted among the number of agreeable things, as well as all relaxations, indulgence in mirth, laughter, &c.,—we may infer, that great pleasure is to be derived from any thing facetious or ridiculous, whether in a man himself, his discourse, or his actions. I have treated of *ridicule* separately in my *Poetics*.—So far for things which are agreeable. We must take the contraries of all the foregoing positions; if we would discover what is repugnant to pleasure.

We have thus explained the ordinary motives which incite a man to do injury to his neighbour.

CHAP. XII.

Of those Persons who commonly injure others.

The men who are addicted to the commission of injuries are stimulated by either of the following allurements :

1. When they believe their undertaking practicable, and that they can accomplish it of themselves.

2. When they think that discovery will not follow the commission.

3. That, when discovered as the authors, they will not be punished for it.

4. And that, even if they be punished, the penalty will not be in proportion to the profit they have derived either to themselves or to those for whom they are interested.

The matter of *possibility*, and its contrary, we shall not now discuss, as it regards all the parts of rhetoric in common.

Of those who promise themselves Impunity.

Among the persons who embark in the design to injure others, those in particular hope for impunity who either possess eloquence, enterprise, or execution ; those who have acquired great worldly experience, by having seen or had the

management of extensive concerns; or, finally, those who are rich in friends or money. But a man will especially promise himself impunity, if he perceive himself fortified by all the advantages we have recited, or at least by some friend or associate, or even by the dependents of either.

By such means a man may not only accomplish his evil design, but also avoid discovery and punishment. Men are also induced to look for impunity when they are leagued in friendship with the persons whom they intend to injure, or with the judges before whom they must appear. Nothing is more practicable than to injure a friend, by reason of his having no distrust, of his being more easily reconciled, and of his scarcely thinking on legal prosecution. With respect to *judges*, it is certain that they will always favour their friends in either of two ways,—by acquittal altogether, or by a slight and diminished punishment.

Of those who expect to avoid Discovery.

In this class of persons, may be ranked, all, whose exterior appearance, if we were to judge by it, affords a presumptive contradiction to the charge which may be made against them. Let us suppose the instance of a man, apparently of very feeble bodily powers, having beaten ano-

ther, who, to all appearance, was much stronger: or, let us put the case of a man, from the dregs of society, favoured by the enjoyment of a lady of quality; or, the same, with respect to an extremely deformed man, and a beautiful woman.

If a wicked man take unlawful and secret possession of things which are public and exposed to the view of many people, he entertains strong hopes of not being detected; because the owner rested upon his confident security which originated in his imagining no one so hardy as even to think of such an action. A person also trusts to his not being discovered, when the crime which he commits is of that enormous nature, as to puzzle the understanding in its investigation whether it was ever before committed; being a thing unthought of, and therefore unprovided for.

Man seldom makes other preparations against injury, than he does against disease; neither fearing, nor endeavouring to avoid, that which he has not hitherto experienced. There are two additional cases opposite to each other, which lay the foundation of security from detection,—when the apprehending party either has *no* enemies, or when he is known to have a great number. In the first instance, the facility arises out of the general trust reposed in him; and the

second reason will establish a difficulty in the minds of others, upon the risk of his attempting an attack on persons incessantly vigilant over his actions and movements.

This last consideration would afford a strong plea in his defence, viz. That an insuperable barrier opposed the completion of his design, if he had any, as he was more liable to be suspected than any other person. Finally, we may take it for granted, that all those who are able to conceal, evade, or transform the nature and shape of the injury which they have committed, or who have it in their power to accomplish it with promptitude, entertain the hope of not being discovered.

Of those who have no Apprehensions of Punishment.

There are many, who, though assured of detection and the pursuit of justice, are not the less deterred from doing wrong. Their expectation hinges either upon the possibility of their escape, by not coming within the pale of certain jurisdictions, by the procrastination of the process, or by the corrupt favour of the judge.

There are others again, who are perfectly aware that their condemnation is inevitable ; yet, because they know that the result will be nothing

more than making amends for their fault by a fine, give themselves little trouble about it ; for instance, when they are acquainted with the means of getting the fine taken off, or not paying it ; when they obtain long credit for its payment ; or when their poverty is so extreme as to leave them nothing to lose.

Others stand in no apprehension of being condemned for the injuries they commit, if their object holds forth the promise of an assured and speedy profit, or some important advantage ; as also, even though condemned, if they can extricate themselves with inconsiderable difficulty, or none at all ; or, in the case of reparation by costs, if the period of satisfying them shall appear to be distant.

The same want of apprehension will arise, whenever the punishment attached, however great, cannot compete with the advantage derived by the offender from his criminal acquisition of some considerable object. Of this nature is the advantage which tyranny holds up to such persons as are desirous of becoming masters of the state.

Another description of fearless offenders is to be met among those who find some gain in their criminal pursuits, and who, with regard to the scale of punishment, expect their escape with an affront or trivial retaliation.

Upon the same grounds, those commit offences, whose crimes import some esteem, or produce them a partial honour. This might happen in a case parallel to that of Zeno; who avenged his parents' death; and yet the penal retribution of his offence could not exceed a fine, or other mode of *amends*, mere exile, and such-like punishment. It is certain, that, in cases of this kind, offenders will not be warped from their evil designs. There is, however, a distinction between the first class of criminal agents and the latter; those being worthy some commendation from the particular manner and motive, while the others merit punishment.

Others, again, will voluntarily hazard the commission of wrong, who, in former courses of it, have escaped being taken in the fact, discovered, or punished; as will those who have frequently missed their aim in such pursuits; for it happens in this case as in war, that the vanquished renew the trial of their fortune, by returning to the charge.

Another description of persons criminally hardened may be met with in such as hope for the present enjoyment of certain pleasure, contrasted with future and uncertain punishment: for instance, the unchaste and the debauched, whose vices are in respect to things to which they are borne by all the agreeable passions, and the

disorders of concupiscence. There are many, however, who act contrary to this latter class; preferring the previous endurance of some pain or loss, in the prospect of establishing a future and assured enjoyment of some pleasure which will be considerable in its duration. This is the case with such as possess prudence, and are not impelled by a slavish devotion to their pleasures. Others again will care little whether they be known as the agents of wrong, provided it appears as if they acted so from misfortune or necessity, from the first transport of an ungovernable impulse, from custom, or, in a word, if they seem rather to have erred than wilfully offended.

In the same number may be comprised those, who apprehend the contrary of rigour from the benignity of their judges,—and also the poorer orders of society.

There are two descriptions of *poor* in the world: one, poor in regard to things necessary for the maintenance of life, such as mendicants; and the other, poor in regard to superfluities, as is the case with the generality of the persons usually denominated rich.

Finally, those persons will not be deterred from doing wrong, who are in good repute with mankind; neither, on the contrary, will those who have already lost their reputation; for, with

respect to the former, their offences would not be credited; and it would be impossible to depreciate the latter any further.

So far of the agents in injury: let us now see who are

*The Persons commonly made Objects for the
Commission of Wrongs.*

The depraved part of mankind generally attack those who possess what they themselves have not, and of which they stand in need, either as necessities of life, superfluities, or merely as objects of enjoyment and pleasure. Their machinations equally extend to neighbours and foreigners: to the former, because their blow is struck with greater facility; to the latter, by reason of retribution being more tardy, and because it will require more time to do them right for the injury they sustain. An instance occurs, in the conduct of those who became convoys to the Carthaginian traders, in order to plunder them. Others are objects of injury and wrong, by being unguardedly negligent, or so simple as to give credit to whatever others impose on them: in such cases, the criminal agent has little occasion to imagine that he will be discovered. The injurious man will also fasten on those who are naturally indolent, and desirous

of living at ease ; for such persons are not easily disposed to embarrass themselves in a judiciary process, by reason of its tediousness, and that it requires activity to accomplish its object. It is the same with those who are of modest demeanour, and who, possessing the recommendation of honour, would be ashamed to appear in judgment, or plead upon trivial causes or unimportant interests.

Another class of persons likely to become the victims of injury, are those whom others have already attacked, or frequently offended, without any attempt on their part to follow it up by retribution, those being within the meaning of the proverb, "*The prey of the Mysians.*" Those also are probable subjects for the infliction of injuries, who have never before received any, as well as those who have been frequently injured ; because neither party hold themselves on their guard ; the latter supposing no one inclined to visit them with further wrongs, and the former, from inexperienced self-security.

A man may equally determine upon injuring those who have been brought to justice for several crimes, and against whom it is consequently easy to obtain a verdict ; such persons not venturing in general to complain, either from the fears they entertain of the judge, or from

their being so situated as to preclude their obtaining any credit. The same may be said of those who have the misfortune to be generally hated or envied.

We commonly find those persons also liable to attacks, against whom others have any pretext or specious reason for so doing, from a research either into the history of their ancestors, or reviving feuds long buried in oblivion. It matters not whether the complaint attaches to themselves, or to any of their friends; for instance, either in being so circumstanced as to receive a present injury, or from having frequently received one, either in their own persons, or in those of their friends, or such person whose interests they adopt: for, as the proverb very justly remarks, "Malice never wants pretence." Friends and foes, indifferently, become objects of injury; the former from the facility, and the latter from the gratification, of attacking them.

The same observation will apply to those who have no friends, and to others neither possessing eloquence nor talents of execution. Such persons will either fail in resolution, to pursue with justice those who injure them, or, even if they do not, they would the more easily be brought to an accommodation, or to an unsuccessful issue upon their plea.

Those also will be liable to the attacks of in-

jury who cannot remain till the termination of their suit in the same place; or until they be paid their damages, or reimbursed in costs. Of this description are strangers in general, and persons deriving subsistence from their manual labour. With such as these, it is easy to compound matters to their satisfaction.

Men will voluntarily attack those who have committed many wrong actions in their life, or who have caused the same injury to others which is meditated against themselves; because it seems but an act of justice to treat the wicked in the same manner in which they have treated others: as in the case of persons notoriously addicted to quarrelling with and beating others, being at last well beaten themselves. Men are equally disposed to do those an injury, from whom, on other occasions, they have received some cause of displeasure; who intended it, or prepared and did every thing in their power to execute it. The commission of injury against such persons is not only attended with pleasure, but also with honour to the agent, as he will merely seem to have done an act of justice. An equal occasion of offering injuries will arise out of the assurance that the attack upon others is grateful and pleasing to our friends, those whom we love or esteem, to our masters,—in a

word, to all those upon whom we depend, or to whom we look for a favour.

Those also are subject to injury, who have formerly been accused of any crime, or whose friendship has been renounced : witness the conduct of *Calippus* towards *Dion* *. And, in this case, what adds to the boldness of the person who attacks, is the semblance of justice on his side.

The same remark will apply to those, upon whom it is known that others are in readiness to make an attack if they be not anticipated ; in this case there is no room for a man to deliberate whether he shall commit the injury or not. Upon this ground it was, that *Ænesidæmus* sent presents to *Gelon*, to prevent him from the reduction of certain states, which it was his own intention to subdue.

Finally, it is probable that one person will injure another, when the commission of a single wrong may put him afterwards in a condition to do considerable good ; because it will then be easy to remedy the antecedent evil, and to recompense the loss sustained. Hence, *Jason* the *Thessalian* was accustomed to say, " That it is sometimes necessary to do a little

* See Plutarch's Life of *Dion*.

evil, in order to be in a condition to do much good †."

Of the different Species of Injustice.

The injurious man generally suffers himself to be carried away by that stream of injustice which he finds most prevalent with the majority, or the whole of mankind, upon the persuasion of more easily finding favour with those whom he has injured. Mankind particularly seek to do wrong in such matters as are easy of concealment; these are of various kinds: some are consumable in a short time, such as articles of food; others are easily disguised by moulding them into a new shape, by a change of colour, or by their intermixture; others may be withdrawn into different places, as is every thing easily portable, or occupying little space; and others again are of such a nature, that, if the person illegally possessing himself of them, previously have many similar in his possession, the latter will not easily be distinguished from the former.

A person commits an injury in those things

† *Jason's* maxim seems to be the basis of the *Jesuits'* famous principle, that "evil may be done for the production of good."—TRANSLATOR.

which he knows it is shameful to say even to the persons on whom the injury is committed; as when he abuses the reputation of another's wife; or when the person injured, or his children, have been forced to yield to the brutality of the defamer. In short, it is possible to commit an injury, and do a wrong, in such things as another cannot institute a process for without the imputation of chicanery, and, consequently, of raising an outcry against himself;—or by reason of their being unimportant or venial offences. This is very nearly as much as can be said upon the subject, whether with regard to the agents, means, or objects of injury; or with respect to the motives and reasons which incite to the perpetration of evil designs.

CHAP. XIII.

Of just and unjust Actions.

We shall now examine wherein consist the terms of right and wrong; and what ought to pass among men for just and unjust. To begin then by an hypothesis upon a former remark:—Whatever there is either lawful or the reverse

among mankind, is always considered as such with relation to two sorts of laws, and two descriptions of persons*. In the first place, there are two sorts of laws: the one *particular*, and the other *common*.

Those laws I call *particular* which serve as rules to a state, and which every people imposes on itself. These are again divided into written and traditionary laws.

By *common* laws are meant those which the light of reason has discovered to us, and which seem to be dictated by nature herself; for there is no one who will not concede that there is a something which mankind in general are conjecturally agreed upon, and naturally recognise as just or unjust, even though there were never a state of society among them, and they had yet to compose one for the first time. *Antigone* seems as though she would inculcate this sentiment in Sophocles, when she maintains, "That justice ordained the interment of her brother's

* "Wrongs are divided into two sorts or species,—private and public wrongs. The former are, an infringement or privation of the private or civil rights belonging to individuals, considered as individuals, and are therefrom frequently termed *civil injuries*. The latter are a breach and violation of public rights and duties, which affect the whole community, considered as a community, and are distinguished by the harsher appellation of crimes and misdemeanors."

(*Polynices*’) body, notwithstanding any command or prohibition to the contrary, issued by the king; for it is,” said she, “an action of natural justice, whose authority is paramount to the laws, and which cannot be absolutely submitted to the will of man.” These are the words of the poet:

“It is a duty pious to discharge*,
Just, at all periods, with the world at large:
Not of the present day, nor present clime,
And in its birth unknown, because unknown to time.”

Empedocles confirms this truth in that passage wherein he proves that it is not allowable to deprive brute animals of life, because it is contrary to natural justice, and natural law; as, in fact, it cannot be said that it is permissible for one to do what it is not so for another. This sentiment of the philosopher is thus conveyed:

“An universal right this point defends,
A right obtaining far as air extends,
And bounded only by the term where light or darkness ends.” }

The same sentiments are expressed in the Oration of *Alcidamas*, entitled, “The Messenian Oration.”

* “With pious sacrilege a grave I stole, &c.”
Young’s Night Thoughts.

a certain thing, but yet he will not allow it to be a theft.

Another will grant that he struck the first blow in a quarrel, but will assert that he was warrantable in so doing.

A man may concede that he lay with a certain woman, but will deny that it was committing adultery.

That he has plundered, yet has not committed sacrilege, since the articles were neither sacred nor dedicated to the Gods.

That he trespassed beyond his boundaries, and tilled beyond the legal limits of his own farm; but yet that he had not done so on the public lands; or,

That he held conference with the enemy, yet not upon points of intelligence treasonably affecting his own party.

Upon this account it will be needful to distinguish between each particular action, and to show wherein theft, trespass, adultery, &c. consist, in order that, if we wish to prove that a person had committed either of these crimes, or not, we might assert reasons wherefore, and clearly establish the contrast between right and injustice. In fact, upon the several preceding allegations, the knotty and difficult part of the dispute will arise from our being competent or not, to say, whether such an action, in particular, be malicious or otherwise? and whether it were

done with evil intentions?—because wickedness and injustice proceed from the intention and ends which are proposed. Now the terms of the foregoing allegations, such as theft, trespass, &c. comprise within their meaning and idea, “a preformed choice, determination, and design of doing injustice.” This may be demonstrated, and it might further be shown, that such terms are applicable only to actions truly unjust and criminal,—by supposing the case of a man simply striking another, for it would not follow that he was culpable, unless he struck with a certain design, and for a certain reason, such as to offer an affront, or to gratify his caprice. In the same way, it cannot be asserted, that if a man has secretly taken any thing, he has been guilty of a theft; such a conclusion solely depending on his injurious intention of appropriating the article to himself. We are to judge upon the issue of other actions in a similar manner.

Of Equity.

Hitherto we have shown the two species of actions which are either just or unjust: one part of which bears relation to the written, and the other to the unwritten laws. With regard to those actions which are regulated and spoken of by the law, we have already treated. Of those which are independent of prescription, or

written ordinances of right, there are two kinds, reducible to two heads. The first description are of such a quality as to be remarkable for an apparent excess of vice or virtue: upon which depend, conclusively, either the censure or praise, the honour or infamy, reward or punishment, of the agent. An example of such actions might be instanced in, "the testimony of gratitude,"—"returning one kindness for another,"—"the promptitude of rendering obligations to our friends," and such-like, with their contraries. Those of the second description are attached to equity, and serve as a supplement, or final perfection to the particular and written laws: for, what is equitable is apparently just.

We may define equity to be, "That reason of justice which supplies the defect of the written law, in those matters whereof that law has made no mention." This defect in the law happens, with regard to the legislator, either voluntarily or involuntarily. It is involuntarily when a thing has not come within his knowledge; and it happens with his consent, when, from its being impossible to remark upon all particular cases and incidents which may arise, he is reduced to the necessity of speaking upon general grounds, although the law so established cannot be just, except in ordinary application. Legislative omissions not only arise from the *impassi-*

bility, but also from the *difficulty* of the legislator's acting otherwise, on account of the vast number of comprehended circumstances which would amount to an infinity.

If a legislator were, for example, obliged to ordain by law, that no one should strike another with iron, it could not be expected that he should lose his time in specifying the size, fashion, and form of the iron; for this would be nugatory, inasmuch as it would be infinite. Whenever a legislator is obliged to make a law, the subject of which is so comprehensive as to exclude the limitation of circumstances, he should deliver himself in general terms, and positive ordinations. Hereupon, we may see the nature of equity; for, supposing that the law we have just mentioned were universally established, and it should happen, by chance, that a man, having an iron ring on his finger, should raise that hand to strike, or should actually strike another therewith, within the terms of the law, that man would be guilty and punishable; though, in truth and effect, he were innocent. To discriminate in such cases is the province of equity; which, if it be accordant to what we have said, clearly evinces the nature of things which we are to take for equitable, or the contrary, and those persons whom we are to consider as unjust.

First, then, equity will take place upon all

occasions where the propriety of pardon shall occur.

Secondly, it consists in the knowledge of distinguishing between a simple fault and pure wickedness, and of apportioning different punishments to both. It also inculcates the necessity of not confounding a fault with a simple accident, or the mere issue of misfortune. By *accident* I mean every thing done without malice, or prepense thought. I call that a *fault* which has been done really without malice, but yet not without reflection, nor believing that it should not have been so done. *Wickedness* is that which includes both reflection and malice: under the latter term I comprehend the whole dictates of disordered passion and appetite.

Thirdly, equity is to be found in the assignment of certain things to human weakness and frailty; sometimes in considering the law of itself less than the legislator who enacted it; sometimes in regarding not so much what it says, as what it meant to say; and, finally, rather in examining the intepion than the action of the accused.

Fourthly, equity consists in not merely stopping at the details and particulars of a thing, but going into the gross and general consideration of it; in voluntarily forming a judgment of the culprit by what has always or commonly been, rather than by what is for the present moment;

in dwelling rather on the good which he has formerly done us, than the injury he has recently offered; and still more upon that good which we have received from him, rather than that which, at other periods, we have ourselves either rendered to, or procured for him.

Lastly, equity is to be remarked, in supposing that the offended party is a person of endurance, who does not design to carry things to an extremity; in seeking the ways of mildness rather than of rigour; and in preferring judgment of arbitration to that of forensic pleading; for an arbiter has a regard to equity, whereas a judge attaches himself only to the law. In fact, the usage of arbitration is introduced solely for the purpose of showing the value of equity.

So far for equitable actions.

CHAP. XIV.

How to distinguish the different Degrees of Injustice.

Of all injurious and wrongful actions, those are the most criminal which proceed from the greatest injustice. This is the reason why, frequently, actions of this nature, the most trivial in reality, are esteemed the most considerable, as is to be seen in the case of *Calistrates'* accusa-

tion of *Melampus*; for the circumstance on which he lays the greatest stress in exaggerating the bad faith of that man, is in showing that, having to pay some poor labourers employed in the building of a temple, he could not prevent himself from cheating them of three demioboli, although it was money dedicated to the sacred uses of the altar. In actions of justice, now, the reverse of this is the case. The obligation of deciding upon unjust actions in this manner, is, that there is to be remarked in them a design and inclination which oversteps what has been really done. In fact, the man who would do wrong in the matter of these mere demioboli, would make no difficulty of doing so in a much more considerable one if he had an opportunity. Sometimes our judgment on these subjects is formed by the measure of an injustice as to its greatness, and sometimes by the wrong received, or the injury which it bears with it. Besides this, a crime is magnified, if it is of such a quality that the culprit cannot be sufficiently punished for it, and that there is no penalty or rigour too great for its deserts. An injustice is also considered greater if it be without remedy: for then the thing is not only of itself injurious, but not capable of amendment. The world universally holds that injury to be of extreme magnitude, the author of which cannot be followed up to justice, as it may then be pronounced beyond cure. I here make use

of the word *remedy*, because, in fact, every condemnation or chastisement is, in regard to the offence committed, what a remedy is in regard to a disease. An injury is attended with still further aggravation, if, through despite, the person who receives it, makes it still more noxious to himself than it actually is: thus, the original offender, without doubt, if a man who has been injured turn the revenge upon himself, merits the most rigorous punishment. For this reason, *Sophocles* pleading the cause of *Euctemon*, who had slain himself in despair for an injury he received, made use of the following language: "What, gentlemen! should you be less severe towards the culprit who has done the injury, than he who has received it has been to himself?" A man is besides more worthy of punishment, and his deeds more censurable, if he be the first or sole person who has so acted, or has made use of little assistance from others, in the execution of his wickedness.

To relapse frequently into the same offence is a circumstance of its aggravation, and should heighten the punishment.

Every action is the more criminal, in proportion to the number of new edicts which it gives occasion to, or to the invention of new punishments caused by it. The inhabitants of *Argos* uniformly inflict an additional punishment on those who give necessity to the enactment of new laws, or for the erection of new prisons.

The crime attended with the most brutality, merits the greater punishment : as, also, whatever wickedness has been long contemplated, or in preparation ; as well as every crime which in its recital arouses more the emotion of horror than of pity.

Besides those which we have already remarked, there are other sorts of address which rhetoric frequently employs in amplifying and exaggerating the wickedness of an action. As for instance, if we were to say, " That such a man has committed an action, which overturns or violates a part of the laws, or of what is necessary to the maintenance of justice among men ; such as oaths, friendship, good faith, marriage, &c. ;" for in this case a single crime includes many. We may also insist that it is an overgrown stretch of wickedness to commit a crime even in the very place where punishment of the guilty is awarded ; as is the case with false witnesses in court : for I should like to know in what place a restraint can be put upon evil-doers, if they are not apprehensive of transgressing in the face of justice, and the presence of their judges ?

Every action particularly marked by circumstances of shame will also be the more criminal on that account. The same may be said with regard to every offence committed against a benefactor : for here a double crime is committed : first, in the commission of wrong, and, secondly,

in the breach of a duty. We may likewise take it for granted, in one sense, that to sin against the unwritten laws, is the act of a very depraved mind, because it is the peculiar province of an honest man, to do good instinctively, and not from necessity or constraint. It is always necessary to obey the written laws, whereas a man is left at liberty with regard to an observance of the unwritten ones. In another sense, it can be maintained, that the violation of the written laws is demonstrative of special malignity, and of the most consummate addiction to evil; for it will be extremely difficult to prevent a wicked man from committing wrong, if he cannot be deterred from it by the certainty of punishment.

CHAP. XV.

Of Proofs which are independent of the Orator's Art.

This description of proof may be classed under the five following heads: viz. the *laws*, *evidence*, *contrast*, *fortune*, and *oaths*.

Of the LAWS.

I mean to show herein, what use can be made of the laws for the purpose of persuading or dissuading; for undertaking an accusation or a defence. When the advocate shall select any written law to make against his cause, he must have recourse to common law and equity, and maintain that the latter are more incomparably certain than the others, and considerably more friendly to justice. He may also maintain that "the impost of a judge's deciding according to conscience and equity, means nothing more than that his authority is not to be slavishly bound down by an attachment to the written laws." And he may further advance in favour of equity, "~~that it is as permanent and unchangeable as~~ the common law, which is conformable to nature; whereas written laws are variable, and of short duration." This sentiment is confirmed by the *Antigone* of *Sophocles*, when the princess, in her justification, alleges, "that if she has contravened the laws of *Creon*, it was in order that she might be more free to obey a law of superior authority, though not numbered among those which were written;" for in addition to the passage we have quoted before, she says,

"I with candour confess that I've done without fear,
That which more than your king, or his laws, I revere."

Besides, the advocate may urge in remonstrance, "that whatever is just ought to be attended with the circumstances of truth, reality, and efficient advantage to mankind, and not be imaginary, or dependent upon opinion or appearance; that those conditions not being found in the law of which he speaks, he is free to say, that it does not even deserve the name of law, because it does not discharge the functions of one." He may likewise urge, "that the judge's province is established upon those matters which regard justice, as is that of a person conversant in metallic knowledge to decide upon monies, in order to discern what is counterfeit and of impure alloy, from that which is pure and legally authorized." In like manner, he may maintain, "that it is the part of an honest man to attach more value to the unwritten than the written law, and even to follow and regulate his conduct by the former rather than the latter." It will also be for the advocate to observe whether the law, which is unfavourable to his case, be not contrary to another law of repute, or whether it be not at variance with itself; for it sometimes happens, that one law enacts, for example, "That all sorts of contracts and agreements be available;" and another forbids, "That any person should contract to the prejudice of the existing laws and established ordinances." He should also endeavour to distinguish whether the law

in question be not ambiguous, and subject to divers interpretations; in order to see in what manner it may be turned; for, if it be possible to give it a construction which will at once establish his right, or be of any use to his cause, he should immediately adopt it, and turn it to his own account. He should furthermore consider whether the law which is opposed to him, and of valid authority, had not been enacted for purposes which can no longer hold, or from circumstances which no longer exist. If he establishes this, he may insist upon abrogating and discrediting the law itself.

But if it happen that a certain law makes in favour of the advocate, then he can remonstrate to the advantage of the written law, "that although the judges make oath that they will pronounce according to their consciences in equity, it is by no means to be supposed that they are absolutely free to judge as they think fit, dispensing with the laws altogether; but that the oath was enjoined, in order that, if perchance the meaning of a law were so intricate as to preclude their understanding it, they should recollect that oath, for fear of violating the enactment, and committing an injustice." An advocate may also contend for the value of law-authority, "that as no one proposes to himself the acquisition of what is merely a general good, but always that which is meet and useful to himself in particular; such

a consideration should be the more obligatory upon maintaining the written laws, as being established in states only to answer the end of some particular necessities." He may further argue in their favour, "that a legislator will in vain establish laws, if they are not to be strictly observed; for to make laws, and not to observe them, is the same thing as if they were never made." He may also urge, "that if in the arts in general, it is dangerous to wish the appearance of being more learned than those who are masters thereof,—for instance, in medicine to pretend going beyond the advice and prescription of our physician,—the same remark will more strongly apply to the laws: for, the want of faith in a physician is not so prejudicial to the cure of a patient, as the habit of contravening and eluding the laws of a prince is contrary to the good of the state." Finally, it may be urged, "that to seek a refinement upon the laws, and to pretend to greater wisdom than they contain, is what has ever been prohibited by the most estimable ordinances."

Of EVIDENCE.

Of this there are two kinds, *ancient* and *modern*; and of the latter description it may be remarked, that some witnesses are in danger of incurring the same fortune as the accused, while others are

not so. By the testimony of antiquity, I mean the poets, and other great men of former times, whose judgment or writings have been held in esteem. So considerable is the authority of this species of evidence, that when the *Athenians* were at variance for the island of *Salamis*, they called in the aid of no other testimony than that of *Homer*: the people of *Tenedos* opposed to the inhabitants of *Sigeum* the opinion of *Periander*, the sage of *Corinth*: and, finally, *Cleophon*, when pleading against *Critias*, upon a charge of dissoluteness, principally cited in evidence one of *Solon's* elegies, to show that the vice was hereditary in the accused, and was always the reproach of his house: "for," said the prosecutor, "if it were not true, is it possible that such a man as *Solon* would think of composing the following verse:

"Bid the soft *Critias* listen to his fate."

Such is the testimony of the ancients, which carries credit us to the past. With regard to those whose testimony is of consideration as to the future, we may first reckon the interpreters of oracles; for instance: *Themistocles* was credited, when he declared, "That the building of wooden walls" (which was mentioned by the oracles) "meant nothing more than an invitation to equip a naval armament, and put to sea." Secondly, we may take into account

all proverbs, which, as we have elsewhere remarked, may induce credit, and serve as evidence upon occasion; for example: if a person wishes to advise another against contracting friendships with the aged, he may call in this proverb: "Never jest with an old man." Or if it were his object to persuade, that children, whose fathers have been killed, should not be permitted to live, the following verse, which has passed into a proverb, may serve as a proof:

"——He is a fool,
Who kills the father, and yet spares the child."

By modern witnesses are to be understood, those, who, being possessed of reputation, have given their judgment and opinion on any matter; and, without doubt, the judgment of those persons will be of considerable advantage to parties having similar differences to those upon which such testimony was heretofore received. Hence, *Bubulus*, in full court, made use of the same repartee to *Chares*, which *Plato* did before to *Archibius*; namely: "that he was the cause of evil-doing having become a public and undisguised profession at *Athens*." But among modern witnesses, some are in danger of being visited by the same fortune as the accused, if it appear that they are perjurers or calumniators. Another class of modern witnesses is merely adduced for the purpose of making known, "when

ther such a particular crime has been committed or not?—whether such a thing exists or not?" their opinion being never taken upon the quality of any action; for instance: its criminality or innocence—its being advantageous or prejudicial, &c. Now the contrary is the case with witnesses who are not present at the suit, or who have no concern therein; their testimony being very essential in such cases; namely, as to the quality of the action. In fact, none are so worthy of credit in this respect as the ancients, as being incorruptible, and beyond the reach or possibility of subornation.

It must be allowed that testimonial proof is not entirely useless, and that, frequently, one attaches as much credit to it as to other stronger proof.

But if it happen that the advocate has no witness on his side, he can then remonstrate, "that a fixed and certain judgment ought never to be founded upon a mere narration, but only upon the strength of reason and probability; and that to judge, in this latter manner, is to judge according to conscience, and in equity." He may in like manner assert, to the advantage of probability, "that it never has been corrupted by money, and that it cannot be out-convinced by false testimony."

On the other hand, the advocate who has it in his power to produce witnesses against another,

who is not enabled to meet him in the same way, has a right to maintain, "that it would be inimical to justice to pretend to the power of condemning a man upon simple conjecture, or apparent and probable reason; since probability, deceitful as it is of itself, not being within the reach of correction for its wrong, as witnesses are, would constantly cause the triumph of calumny over innocence." In a word, he may maintain, "that judges, at all times, would in vain introduce that so necessary habit of producing witnesses, if mere reasons alone were fully sufficient for the conviction and proof of a crime."

All testimony either regards our own side or that of the adverse party; either the immediate subject of the cause, or the habit of life and manners of the individuals. Hence it may be seen, that in whatever manner a person is enabled to give evidence upon any matter, it will be open to the use, and probably to the advantage, of the advocate. For if the testimony given, neither favours our own cause, nor impugns that of our adversary, at least it may have some effect with regard to the character and manners of each by establishing, perhaps, our innocence in these respects, and their criminality. Other reasons may be alleged upon the person or quality of the witness, in order to weaken or strengthen his depositions: such as, "that he is either a friend or an enemy to the

parties, or neither—that he bears a bad reputation, or a good one—or that either good or bad report has been heard of him,” and such-like distinctions. For more enlarged deductions upon this head, recourse must be had to the various *places* whence enthymems are derived.

Of CONTRACTS.

As to what can be said of contracts and conventions, it all depends either upon the aggrandizement of their validity, or showing that they are null and void. It also consists in preventing or procuring their being credited. If the contract in dispute be in our own favour, we must endeavour to procure it credit, and to increase its weight. If it be against us, the contrary system must be adopted. The same means of procuring belief in this instance, as have been shown with regard to testimony, are alone necessary to be used; for, it is certain, that if belief be attached to those persons who have signed or kept a minute of the contract, the instrument itself will have equal credit. If in the course of the pleadings it be granted, that a contract is valid, in case that it is on our own side, we must endeavour to add to its authority. Here there will be occasion to say, “that all contracts and conventions are, properly speaking, so many laws; but of such a nature, as that

they regard certain particular persons or things only: that, *in fact*, there is no convention or contract sufficiently considerable to arm with authority any law whatsoever; but, however, that those instruments at least possess this advantage, that, being legally and formally made, they become as inviolable, and of as high authority as the laws themselves." In addition to this, it may be contended, "that every particular law is nothing more than a contract; so that whoever is unjust enough not to abide by, or who prevents the fulfilment of a contract, makes a direct attack upon the laws, and destroys them to the extent of his ability." It might equally be urged, "that most worldly affairs, such as negotiations, alliances, and every thing established by common consent, are founded upon good faith alone, and subsist only by convention; so that, if a man denies credit to such things, he instantly abjures all communication and intercourse with his fellow-men." Numerous other inferences will necessarily flow from the observation of each particular case.

When a contract makes against us, and operates to the advantage of our adversary, the first step to be taken in combatting it, must be, to employ the same weapons which we have already afforded in the instance of attacking a law which is unfavourable to us. Hence we should say, "That it would be strange, if, believing as we

do, that there is no obligation to obey laws which are not established as they ought to be, or which have been derived from interest, or an abuse of the people's rights,—we could, however, believe, that it is somewhat necessary to comply with fraudulent and informal contracts. Added to this, if every judge be a dispenser of justice, it is his duty not so much to regard what he is led to by considering the contract, as what he ought in equity to do." In fine, it may be alleged, "that whatever is really just cannot be prevented by any stratagem, or any violence, since its foundation is laid in nature. But that, as to conventions, chicanery is in general predominant, and that men usually enter into contracts merely because they are compelled to do so from necessity." In addition to these remarks, we should take care to observe whether the contract, which is intended to be made use of against us, be not contrary to some one of the written, or common and natural laws; as also, whether it be not repugnant to equity or morality. It should likewise be noticed, whether this same contract be not derogatory to another which might be subsequent or anterior to it; for, if the latter contract be available, the former one is rendered null; and if the first be good and formal, the other will be fraudulent; and contrary to good faith. In that case, we must make use of it as will best besit the favour of our

cause. We should, finally, observe of what utility such contract could be; whether it contains any thing contrary to the decrees and authority of the judges, and such-like cases, as the occasion and subject-matter put us fully in possession of.

Of TORTURE.

With regard to investigation by torture, we may assure others, that it is a species of testimony which carries with it the seeming obligation of being the rather credited because it is a method whereby men are forced to the declaration of the truth. Upon this subject, there is no difficulty in seeing what can be said on both sides.

If the use of torture be advantageous to our cause, we must attach a value to it by contending, "that, of all modes of testimony, it is the only true and faithful one." But if the adverse party wish to employ it against us, we must endeavour to depreciate the usage, by showing it can never lead to a knowledge of the truth. At the same time, it will be to the purpose to treat of its nature in general; for then there will be room to advance, "that the violence of the torment endured may equally lead a man to say what is not, as to say what really is: that it too frequently happens, that criminals on the rack, by reason of a robust consti-

tution enabling them to endure the pain inflicted, confess nothing of their crimes, while, on the contrary, the really innocent, compelled by torments which they are incapable of enduring, falsely accuse themselves, in order to procure a cessation of their pains." Examples upon this subject should be collected from persons to whom such things have occurred, and with which, we are persuaded, the judges are particularly acquainted,

Of OATHS.

An oath may be considered in four ways: for, "We either require that the adverse party make oath; and that, upon his refusal, ours be received:"

"Or we absolutely wish neither party to swear;"

"Or we desire the oath of one in preference to that of another:" which may again be considered in two points of view:

"Either in our wishing to abide by the oath of our adversary, without swearing ourselves:"

"Or, in our objecting to his oath, and requiring implicit credit to our own."

Besides those four methods, an oath may be considered in another light; namely: whether any of the parties have sworn? If either have, the advocate must see, whether it be his own,

or the opposite party. In case that we are the objectors to the oath of our adversary, we must contend, "that the objection is legitimate, because there are few persons who scruple a perjury; and that, for instance, in the matter of money lent, it would be a bad recourse for a creditor to abide by the oath of his debtor, who, he knows, would desire nothing more than an opportunity of procuring his quittance by a perjury: that we place too firm a reliance upon the justice of our demands, not to await a favourable decree from the judges, who will no doubt condemn the adverse party, without regard to his oath, or frivolous protestations: and that we would be better pleased to rely on our judges than the interested party, on account of his bad faith being too well known to us; while, on the contrary, we have every reason to confide in the virtue and equity of our judges."

If it happen, on the other hand, that the adverse party is inclined to abide by *our* oath, and that, upon his tender to that effect, we refuse to swear, we may allege in our defence, "that it is unbecoming an honourable man to accept such an offer in a money transaction; that if we were basely inclined, and our demand were ill founded, we would not let slip so fair an opportunity; that it is much better to be deprived for some consideration than for nothing; that in this case, it is evident, we have but to swear, in

order to obtain our demands: whereas, if we do not swear, we put ourselves in the way of losing them altogether; and that, for this reason, the opposite party ought not to take advantage of our refusal, since it is induced by our professing an honourable conduct, and not from the fear of wounding our conscience by perjury." Hereon we may further advance, what has been said by *Xenophanes*, "that, upon the subject of an oath, no comparison can be instituted between the good and the depraved: for the match would be as unequal as if a robust man should demand to fight another who was considerably more feeble."

In case that we are the party requiring to take the oath, we must remonstrate, "that our undertaking to do so proceeds from our perfect assurance that we will speak the truth, and that we mistrust the adverse party." Herein we must reverse the reasoning of *Xenophanes*, and contend, "that the lists are never more equal, than when the dishonest man offers to abide by the oath of a man of integrity, and that the latter accepts the offer." We may insist, in addition, "that it would be very strange if we refused to take an oath which our very judges made no difficulty in taking, and without which we would not believe them capable of judging us."

But if we ourselves make an offer to the ad-

verse party of abiding by *his* oath, we may allege, "that there is surely nothing more becoming the piety and spirit of a good man, than to wish his interests to be placed in the hands of the gods; that there is no necessity for the opposite party to recur to any other judges, since we are perfectly ready to abide by what he shall say: and that it would be equally ridiculous in him to refuse taking an oath, which he believed necessary to the qualification of his judges."

Having obtained the knowledge which we have,—of what might be said on both sides, respecting the four ways of considering an oath, by taking each in particular into review, we also see what can be said when those modes are coupled together, or viewed more than one at the same time; for as those combinations are composed of the same materials which have been separately remarked, the reasoning must be the same, except in the case of their being *all* joined together.

But if it happen that the oath which we have taken be contrary to what has been hitherto laid down, in order to afford a reason for our dissolving it, we must maintain, "that it is absolutely impossible to accuse us of perjury, since the oath which we have taken was imposed by surprise or constraint: the act of perjury is one of injustice; and injustice is a voluntary act; nothing, however, can be more opposite to a vo-

luntary action than surprise or constraint." Therefore, it is fair to conclude, "that neither the tongue, nor the words uttered, singly constitute a perjury, but the intention and the will alone."

But if the adverse party wish to dissolve his oath, we must maintain, "that the violation of an oath overturns every thing well ordered and sacred among men; that, in all times, the use of an oath has been considered so necessary and religiously binding, that the very judges are not permitted to enter upon their functions until they have sworn, and solemnly promised to acquit themselves of their duties." Here the advocate may personally address the judges themselves, and say, "What, my lords! should it be said that you who are our judges should be strictly obliged to adhere to the judgments you have pronounced, by reason of the oaths which you have taken? and that all others should be at liberty to violate their oaths when they thought fit, and to abide by them; merely at their pleasure?" Many similar observations might be made, in order to inspire an aversion of perjury, and to render the other party odious.

So far for proofs which are independent of rhetorical art or address.

B O O K I I.

CHAP. I.

THE orator should be acquainted with human manners and passions.

Hitherto we have endeavoured to explain what concerns those things which it is necessary to know, in order to be in a condition for *persuading*, or the contrary; for *censure* or *praise*, *accusation* or *defence*: and we even have gone into the opinions and propositions, which are, in such cases, useful, for the purpose of attaching credit to what is said. From those alone, and the *places* we have given, every argument and enthymem which each kind of discourse, separately, and each of the three kinds of rhetoric require, are derived.

But because rhetoric has been instituted, with the design of inducing the auditor to give his opinion upon what is proposed to him (for the resolutions of a deliberative assembly are real judgments, and the courts of law are celebrated but by their decisions); for this reason it will be necessary, that the orator should not only take

care to adduce sound reasoning, and prove his allegations, but also, while he speaks, to impress a good opinion of himself on those whom he addresses, and to win the favour of the judge towards the subject of his pleading.

In matters of persuasion, and more particularly in public assemblies, or in forensic pleading, it is highly important for the advocate, in the first place, to impress his hearers with a favourable opinion of him (by appearing at once, a man of ability, of honour, and inclined to their good); and in the second place, it is incumbent on him, previous to his address upon the main point, to make a certain disposition of their minds to receive it.

The art of impressing a favourable opinion of the speaker on the minds of his hearers, is more peculiarly requisite in deliberation; while the address of preparing the minds of the auditory has its strongest effect in judicial pleadings at bar. For, a person who is prepossessed by anger or affection, will take things in quite a contrary bias from him who is affected by neither of these passions: on one side, matters will appear as through a microscope; on the other, the objects will be diminished. In fact, if a man has to adjudge his friend convicted of injustice, it will appear to him, either that the transgression was of trivial import, or of none at all; yet, if the enemy of the accused be called to judge him, his decision will be the reverse of the former. In

the same manner, those who are ardently desirous of a thing, or who have hopes of obtaining it, provided the object of their hope or desire is to bring them pleasure, not only will be removed from doubt, as to their possession of it, but they will even imagine to themselves the highest advantage and happiness in consequence. There are others; on the contrary, who, regarding the same object with indifference, or entertaining no good opinion of it, will be of quite a different way of thinking.

There are then three things constituting the reason why credit is attached to the orator's discourse; and these are indispensable to the belief of language, let it flow from whom it may, even in preference to the proofs or reasoning which he adduces. They are as follow :

“ The prudence and ability of the speaker;”

“ His integrity;” and

“ The seeming good-will which he bears towards us.”

For, it is certain, that if the orator, upon any occasion, fail in speaking the truth, upon the subject of his discourse, it is, invariably, the consequence of a defect in those three points together, or in some one of them. If the opinion he delivers be a bad one, it must be ascribed either to his ignorance of, or want of judgment on, the subject; to his dishonesty, or his being deficient in a warm affection for his client. There is no use in

searching for further reasons, why persons capable of giving good counsel do otherwise. It will follow of necessity, that the orator, possessed of those three qualities, cannot fail of being considered by his auditory, as a man of honour and worthy of credit. The man who would himself appear able and virtuous at once, must employ the very same means which, in speaking upon the *virtues*, heretofore, we recommended, for the purpose of the orator's illustrating such qualities in others. Respecting good will and friendly qualities, they more immediately fall within the compass of our present treatise on the passions. By the latter name are designated all those feelings, which, being accompanied by pleasure or pain, work such a change in the mind, as to cause a remarkable difference in the judgments of those who are affected by them; such as anger, pity, fear, &c.; with their opposites,

In order to the more correct understanding of the passions in general, it will be necessary to divide the consideration of each particular one into three points. For instance, in explaining the nature of anger, I mean to show,

1st, "The condition in which persons subject to this passion, must be."

2dly, "The description of persons who are open to the attacks of the angry man."

3dly, "The various occasions and reasons why persons are so addicted."

If we know not all these circumstances; it will be impossible for us to excite the passion of *anger* in our hearers. The same remark extends to every other passion in particular.

I shall on these points follow up the same method of giving *propositions*, which I have heretofore employed in treating upon other subjects.

OF THE PASSIONS.

CHAP. II.

Upon ANGER.

Upon the supposition, that *anger* is "a desire of revenge, which we believe ourselves capable of attaining; at the same time that this desire is gloomy, and blended with displeasure, from reflecting that ourselves, or persons connected with us, have been unworthily or contemptuously treated;" it will be, in the first place, a necessary inference, "That whoever falls into an angry mood, must do so against a fixed and certain object:" for example, against *Cleon* in particular, and not indeterminately against man in general;

and he must be angry with him, solely, because he has either done, or is prepared to do, towards him or his connexions, that which, in his opinion, he ought not to endure.

✓ The second inference will be, "That every description of anger is succeeded by some pleasure;" the passion carries with it the hope of revenge, and there is infinite satisfaction in reflecting, that we shall possess that which we earnestly desire; the more, because we never wish for what we believe it impossible for us to obtain; but, the angry man desires that which he believes it possible for him to execute, and therefore he finds a pleasure in it. From this consideration, *Homer* made the remark which we have already quoted, respecting this passion, in another place. So true is the pleasure resulting from anger, that the revenge which we meditate, presents itself to the imagination in such a manner, as that we believe ourselves already avenged. ✓ It is a deceitful pleasure, resembling an agreeable dream or reverie,

Of CONTEMPT, and its Species.

What is called contempt, is the manifestation of an opinion which we entertain, as to certain things being unworthy of consideration: of this there are three sorts, viz. *disdain, importunity, and affront.*

It is clear, that the man who shows disdain to-

wards another, contemns him also ; for we never disdain what we value ; and what we do not value, we despise.

The man who importunes, and renders himself troublesome to another, seemingly despises him ; for, importunity is the obstruction of another's will, not from interest, but merely to prevent his enjoying what he wishes for. Now, if a man act so not from interest, nor the hope of making any return to himself, he assuredly does so from contempt ; for, if he thought the object of his importunity could injure him ; far from despising, he would stand in awe of him ; and if he considered him capable of rendering him a service, he would be rather disposed to make him his friend.

It is equally certain, that he who gives another an affront, despises him ; the nature of an affront, consisting in one man's being obnoxious and harassing in the production of matters which turn to another's shame and dishonour ; not that he who offers the affront, makes any pretension to being benefited thereby, or to being even with the other, but because it is the dictate of his pleasure or caprice. It is, however, a fact, that retaliation is a surer and more speedy method of revenge, because those who make use of it, do not really seem to commit an affront.

The reason why those who offer affronts, take pleasure in so doing, is, that, in ill-treating others, they believe that they possess an advantage and

superiority over them. For this reason, the youthful and the wealthy part of mankind are most commonly insolent and outrageous; because, in affronting others, they imagine that they display their own value and high consideration. It being then peculiar to an affront, to cause a privation of honour, whoever deprives another of his honour, must despise him. This it was which induced *Achilles*, in his wrath against *Agamemnon*, to exclaim :

“ Usurper that he is, he steals my prize !
I cannot seem more lowly in his eyes.”—*ILIAD* i.

Homer further represents the same hero, on another occasion, saying,

“ As though to shame and honour I were lost.”—*ILIAD* ix.

Achilles makes this reflection as if it were the principal source of his anger.

All men entertain that self-opinion which induces them to believe that they should be looked up to, and respected, by those who are inferior to them in birth, merit, or credit with the world; or in whatever gives one man an advantage over another. The rich, on account of their wealth, make pretensions to being honoured by the poor; the orator, by him who is incapable of public speaking; the prince, by his subjects; and those intrusted with, and thought worthy of command;

by those who have been born to obey. Upon the occasion of a king being enraged, *Homer* says,

"Heav'n-born kings, in wrath, pursue extremes."—*ILIAD* ii.

And again, in another place,

"To make his aims more sure, pretends to be appeas'd."—

ILIAD i.

Without doubt, contempt must be particularly insupportable to monarchs and princes, on account of the high rank and dignity which they must maintain.

But it is not with regard to inferiors alone, that men entertain these opinions; they equally extend to persons from whom we look for nothing else than good offices, on account of our good will, manifested towards them, or of obligations rendered to them, either by ourselves, or by others influenced through a regard for us. Let us now consider who are

The Persons subject to the Passion of Anger.

Those who are afflicted, or, in suffering, are easily enraged; because the man who is in suffering, is incessantly desirous of something, so that when any opposition is made to his will, he immediately becomes angry; as in the case of preventing a thirsty man from drinking, or, though not directly preventing, yet doing something similar to it. The same may be said of any other person whose

designs are traversed, though he possesses the means of accomplishing them, or who is otherwise prejudicially affected. Thus also, the sick, the poor, or those who are in love, in a word, all those who ardently desire, yet cannot possess the object, are particularly liable to irritability and the hurries of temper, more than other people : and their anger is peculiarly marked against such as pay no regard to the condition in which they are. It is clear, that in all cases wherein we become angry, each individual is, as it were, prepared and designed by the passion which preys upon him, and by what he feels afflicting within himself. A man is also soured by anger, if the contrary of his expectation shall occur to him ; for, an unforeseen and unexpected accident is truly afflicting, in the same proportion that an unexpected happiness, productive of the effects we desire, is truly grateful. Hence it is not difficult to calculate, with precision, the circumstantial “ when ” and “ where ; ” the occasions, seasons, ages, and dispositions peculiar to the passion of anger. And, moreover, in proportion to the greater pressure of these circumstances, the passion will be more easily induced. We now proceed to

Those who are the Objects of Anger.

We commonly feel angrily disposed towards those who burst forth into immoderate laughter

in, and created by, our presence; who openly mock us, or attack us with stinging raillery; for it is evident that such things are offensive.

We evince our anger towards those who are obnoxious in matters where it is visible that the intention is to offend us; it must, however, appear, that such conduct had no motive in view—such as a design of avenging one's self, &c.; for then, the design is proved to be purely contemptuous and offensive.

Our anger is excited against those who speak ill, or make light of us, in matters connected with our principal occupation. For instance, a man who is passionately addicted to philosophy, and who seeks to acquire a reputation therein, will be extremely offended, if any person abuses that profession: and in the same manner with a lady of quality, if she is not spoken of as she would wish. But the anger of such persons is more fiercely lighted up, if they suspect that they are not at all possessed of such qualities, or in a less degree than they imagined to themselves, in all cases where they do not pass for persons of such a description: for a person who really believes that he excels in the thing upon which he is rallied, will not be angry with those who rally him.

We are more commonly disposed to be angry with our friends, than with those for whom we have no friendship, because we think that we

should, in reason, expect rather good than evil offices from the former.

We are also inclined to be offended with such persons, as, having been accustomed to pay us respect, or to cultivate a good understanding and acquaintance with us, cease on a sudden to be so ; for there is then room to believe that they treat us with contempt, there being no other assignable reason why they should discontinue their former habits with us.

We are likewise apt to be angry with those, who, having received some pleasure at our hands, are ungrateful enough to desert us in our need, or who do not so much for us as we did for them. Also with those whose designs are exactly contrary to our own, particularly if they are persons inferior in condition or in other respects to us ; for we then seem liable to the contempt of all such people, partly because they treat us as inferiors, whom they would not scruple to abuse ; and partly because they then place us in the same rank as they would inferiors, from whom they had received some obligation.

We are much more affected by the contempt of those who are not of any estimation in the world, than that of any others : this is conformable to our supposition—" that anger is the consequence of persons, deserving far otherwise, being unworthily contemned." For, it is agreeable

to social decorum, that the man, who does not rank so high as others, should pay them respect.

Again ; we shall be disposed to a rupture with our friends, if they omit speaking well of us, or neglect to oblige us ; and much more so, beyond comparison, if they act the contrary part, speaking ill of us, or not regarding, nor pretending to perceive, our necessities. This was the origin of *Plexippus's* anger against *Meleager*, as recorded by *Antiphon*. The greatest mark of personal indifference, and of being held cheaply, is when one's necessities are not regarded ; for we are generally acquainted with the condition of those things, for which we have any real concern and esteem.

Our anger is in like manner roused against those who take pleasure in our misfortunes, and in general against such as are not touched by the calamities which befall us ; for such conduct would be the strongest proof, either that they were our direct enemies, or that they held us at nought.

We are likewise enraged with those who make no scruple of irritating or depressing us ; and, for this reason, the bearers of *ill* tidings are never well received.

Our wrath is also kindled against those who listen to the evil reports which are made of us, or who dwell with officious scrutiny upon the ills which befall us ; such being the characteristics of an enemy, or one who disregards us. For, if they were true friends, they would sympathize in our

affliction, and look upon it as their own—as the person who is unfortunate cannot view his miseries without self-dejection.

Men cannot tolerate contempt in the presence of the five following descriptions of persons :

1. " Our competitors, and rivals in condition."
2. " Those whom we hold in high esteem."
3. " Persons with whom we wish our credit and reputation to be established."
4. " Those whom we profoundly respect;" and
5. " Those who respect us."

In any one of those cases, contempt is more severely felt than in any other.

We are justifiably angry with those who offend in certain points, persons, whom in honour we cannot desert in such cases, and whom it would be shameful in us not to defend; such as our fathers, mothers, wives, children, servants, and dependants.

We are, with equal reason, indignant at those who are insensible to our kindness, and who do not take it well of us : the contempt of such persons is the more injurious, as it is unfounded and *unreasonable*.

We are also with *reason* enraged with those whom we perceive to mock us, at the very time when we imagine that we are on serious affairs with them. Irony always includes *sovereign* contempt.

Our anger is equally excited against persons

who show themselves obliging and beneficent towards every one, except ourselves: for there is no stronger symptom of contempt than when a man does not think himself equally bound to do unto us, what he believes it his duty to do unto others.

Finally, forgetfulness is a strong incentive to anger; as if a man were to give himself so little trouble about his friend, as to forget his name; in this respect, forgetfulness is the seeming effect of contempt, as it arises out of neglect, which is always contemptuous.

From what has been said, it may be seen, that the orator has a perfect digest of his duty in this respect; first, to the end of managing the mind of a judge with such address, as to work him up to the crisis of anger; secondly, to blazon out in the person of his adversary, those things which are accustomed to create indignation; and thirdly, to hold him up to the view of his judge, as one of those persons against whom a judge's irritation is commonly directed.

CHAP. III.

On Sweetness of Disposition.

As they are two different things, to be angry and to be appeased, so are irritability and a mildness of temper. Herein three points are to be investigated: first, "the state necessary to a mild and peaceable disposition;" secondly, "the description of persons with whom one commonly lives harmoniously;" and thirdly, "the occasions when, and reasons why, anger is appeased."

Supposing then, that sweetness of temper is "that state in which a person finds himself upon the cessation of anger," and that anger always is excited towards those who are contemptuous; and that contempt is in its nature a voluntary act, it may be concluded, that we cannot be angry with those who have not acted so; or who in reality or appearance have acted so involuntarily.

It is equally certain, that we cannot be angry with those, whose wishes lead them to act the reverse of what they might have done, or who have done nothing in regard to us, which they have not frequently done in their own; for it is not credible that any person would go the length of self-contempt.

Neither can we be angry with those, who, acknowledging their offence, are repentant; for, as

soon as we believe them sufficiently punished by their contrition, we are easily appeased. This may be observed in our conduct towards servants, whom we continue to chastise as long as they persist in belying and contradicting us; whereas, our anger ceases, the moment they acknowledge that their punishment was just. The reason for treating them in this manner, is, the impudence and effrontery of denying that which one has seen, or which is self-evident. Impudence is invariably a species of contemptuous disdain, because it is only before persons whom we supremely contempt, and to whom we fail in respect, that we exhibit an impudent demeanour.

Our anger cannot be of any duration against those who make us submissions, listening to all we have to say, without venturing to reply; because, in this case, they seemingly avow their inferiority. The man who supposes himself inferior to another, is apprehensive of giving him offence; and being so, he cannot possibly contempt him. We may even collect from the conduct of the dogs themselves, who never bite those who are prostrate, that self-humiliation excludes anger.

A man cannot be angry with a person who bears what is said to him with serious attention; as there is no reason to believe him capable of contemptuous raillery.

We cannot either be angry with a person who has rendered us more important past obligations,

than present cause of being disoblighd ; nor with the man who demands our pardon, or solicits something as a boon : for the quality of a suppliant is lowly and self-humiliating.

We can neither find occasion of anger against those who never mock, injure, or despise others ; or, if they do, provided they fasten not on men of propriety, or such persons as ourselves. The whole secret of appeasing anger is, to have recourse to whatever is opposite to its cause.

We are not inclined to be indignant at those whom we fear, or highly respect ; for anger has no power over the mind when it is influenced by those considerations. It is totally incompatible with fear.

Our anger ceases, or at least is very trivial, towards those who have offended us merely in their passion,—as they do not then seem to have been influenced by contempt : for, contempt is of a cold and steady nature, whereas, passion is resentfully warm and turbulent ; therefore, both could not exist together.

We cannot evince anger towards those who are abashed and respectful in our presence.

It is an undoubted fact, that persons in a disposition contrary to the state which is requisite for the existence of anger, will, while that disposition lasts, be mild and peaceful. For instance, those who amuse themselves in social mirth, participate in games, or assist at the ce-

celebration of festivals and days of rejoicing—those who have been favoured by some extraordinary success—those who are fuddled—in a word, all those who have been tasting of certain pleasures, which are neither injurious nor offensive, or who have a well founded occasion for favourable hopes.

Those also will be inclined to mildness, whose anger will have time to dissipate itself, or who will not always enter into a passion upon the very moment. Time is the greatest sedative of passion.

Having obtained revenge a little before, will strongly dispose us to soften our resentment, however considerable. In this respect, *Philocrates* acted right, when a certain man demanded of him, at a moment when the populace was most furious against him, “Why he did not come forward in self-justification?”—“It is not yet time,” replied *Philocrates*. “And when do you think it will?”—“It will be time enough,” said he, “when I have witnessed the proceedings against some one else.” And it so happened, that *Philocrates* was right, as I have said; the populace being generally milder and more tractable when they have vented their wrath upon some object. *Ergophilus* had experience of this truth: for, though the *Athenians* were much more irritated against him than against *Callisthenes*, yet they acquitted him, be-

cause, the day before, they condemned *Calisthenes* to death.

We have no occasion to be angry when we have convinced of their wrong, and set right, those persons who have offended us; or if we understand that they have suffered a much greater evil than we could possibly inflict by taking our revenge. The evil which has befallen them we should look upon as our revenge.

Neither should we be angry, if we believe that we were in the wrong, and that we meritedly suffer what we have. An act of justice should not cause anger, for there is no reason or pretence for complaining of unworthy treatment, which essentially constitutes anger. Here it may be remarked, that, before inflicting chastisement, it is always necessary to premise some reprimand or remonstrance upon the fault committed. Servants who are so chastised, more easily comply, and more patiently endure.

Our anger will also cease against persons on whom we would even wish to be revenged, provided that in punishing them they neither perceive whence or why the punishment was inflicted: as anger, according to its definition, lies entirely within the particular object. For this reason, *Homer*, with very great propriety, represents *Ulysses*, while escaping from *Polyphemus*, addressing that giant in the following language:

"The Cyclops thus, his' frontal eye extinct,
 The hero quick bespoke:
 'If strangers, or the natives of thy isle,
 'Would know the author of this cruel wile,
 'Repeat Ulysses' name!—dost hear the sound?
 'He who raz'd Ilium level with the ground!'"

ODYSSEY ix.

As if *Ulysses* thought that he could not be sufficiently avenged of *Polyphemus*, if he had not given him to understand; not only why he had been deprived of sight, but also the person who had done it.

Neither can we be angry with those who would be insensible to the evil we may inflict on them, any more than with the dead; regarding whom this sentiment should obtain, that they have passed the greatest of all extremities, and experienced their last misfortune, and that they are no longer in a state for the sensibility of suffering, which is a condition that sweetens revenge, and which is particularly aimed at by those whom anger leads to vengeance. For this reason, the poet, wishing to soften *Achilles*, who was wreaking his vengeance upon the dead body of *Hector*, says:

"He stamps the clay-cold corse, now senseless of his rage."

ILIAS xxiv.

In order to appease the minds of our auditors,*

we may be assured that there is no necessity of establishing any other *places* than those we have already given.

CHAP. IV.

Of LOVE and HATRED.

Herein we must first examine what is meant by loving, and the definition of friendship.

Supposing then that to love, is, "to desire for another, and to wish that he may attain whatever he believes will be to his advantage; and this, not from self-interested motives, nor the furtherance of our own pretensions, but merely from our regard for the individual himself;" it is also a necessary attribute of love, "to use all our endeavours to procure for the object all those advantages. And friendship is a reciprocity of love between individuals."

This being presupposed; as also, that one true friend should constantly be well inclined towards another; we may infer,

1st, "That he who testifies his joy at the happiness, or his sorrow at the misfortune of another, is that man's friend:" with this condition,

however, that self-interest is not concerned in these expressions, and that a pure regard for the person alone shall influence them. All men are commonly rejoiced upon the occurrence of what they desire, or are depressed in the contrary case; so that it might safely be said, that joy and sadness infallibly gauge the sentiments of good or ill will which different persons bear towards each other.

2dly, We may conclude, "That those are mutual friends, with whom the same things, at the present moment, are good or bad."

And, 3dly, "The same may be concluded with respect to persons who have the same friends or enemies." For, in these cases, necessity unites them in willing and desiring the same things on both sides*; so that it is certain, whoever wishes and desires for another the same things which he desires for himself, is apparently that man's friend.

The Persons whom we love.

In the first rank of those we may place such persons as have done us any good, whether to ourselves immediately, or those for whom we feel a concern and interest; whether the service

* This sentiment we meet with in the Roman historian, *Sallust*: "Nam idem velle ac idem nolle, hæc demum firma amicitia est."—TRANSLATOR.

they have rendered be a signal one; or whether it be a simple obligation, distinguished only for its courtesy and good grace; whether the occasion were critical, or the favour conferred were a mere testimonial of affectionate consideration towards us. And we not only love those who actually oblige us, but also those whom we believe well inclined to do so.

Our affections will moreover be directed towards the friends of our friends, and those who either love or are loved by the same persons as ourselves; towards those who have the same enemies as ourselves; who hate, or are hated, by those with whom we stand in the same relation. This is accounted for when we consider that what appears a good to them, is equally so to us; therefore, we cannot avoid wishing them good; which, as before observed, is a sentiment inseparable from friendship.

We also love those who voluntarily assist with their money, or fear not to expose their lives for others. Hence the highest honours are paid to the liberal, the valiant, and the friends of justice. Under this head we may account all those who are not burdensome to others, such as persons who earn a toilsome livelihood, and these may again be divided into the two particular classes of *labourers* and *artisans*.

We also bear an affectionate attachment to those whose lives are regulated by temperance.

for it is uncommon to find such people committing wrong. For the same reason, we are attached to those who live in a peaceable and inofficious manner,

Our attachment equally extends to those whom we would wish to have made our friends, especially if the same wish be entertained on their side. Those are, generally speaking, such as are distinguished by their virtues, or the reputation they have acquired; whether they be universally esteemed, or only so by the honourable part of mankind; whether they be regarded by those whom we ourselves esteem, or by those who profess an esteem for us.

We are also affectionately disposed towards those with whom it is a pleasure to live or converse; such as persons of a bland and easy disposition, not given to reprehension, nor overbearing or perverse in society; for, such will not be fond of quarrel or controversy,—which things are so far annoying, as they seem to desire the restraint of other people's will.

We should also account those persons amiable, who conduct their raillery with address, or endure that of others with good humour; for, persons of this description study two things which are extremely pleasing in society.

We are likewise attached to those who display or eulogize the good qualities we possess, if particularly there be any one among those

qualities which we were apprehensive of not really possessing.

We likewise form attachments to those whose appearance is prepossessing, or who are well accomplished, and accustomed to do every thing with an air of propriety: as also those who are not fond of reproaching the faults of others, or of under-rating their good actions: for, such people as do so are truly importunate and vexatious in life.

Our attachments are easily formed with persons who are not rancorous nor captious, and who are of a reconcilable nature: for, it is to be supposed that their habits would be as agreeable to us as to others.

We should also love those who are not addicted to calumny, nor fond of hearing scandal, or any thing else than good told of us or of others: for, there are none but persons of honour who will adopt this maxim.

We equally love those who do not thwart us in our anger, nor in our serious occupations. With persons addicted to such habits, the love of offensive contradiction is a ruling principle.

Our regard is also extended to those whose demeanour and comportment towards us demonstrate either their esteem of our merits, their consideration of us as persons of honour and probity, or the pleasure which they derive from our society; and we are especially attached

to them, if the inclination and esteem which they manifest in our favour have originated in consideration of things wherein we principally desire to be regarded as virtuous or agreeable.

We also love our equals, and those of the same profession with ourselves; provided that, in the latter case, those persons cannot injure us; or that their livelihood, and our own, are dependent upon separate branches of employment: otherwise, what *Hesiod* * says of potters will apply:

“ Potter with potter never can agree.”

We bestow our affection on those whose desires are the same as our own, provided that the object of such desires be equally attainable to both: for, otherwise, envy would be the result; and we equally regard those with whom we live on so familiar a footing, that we apprehend nothing from doing in their presence those things which are not shameful in themselves, but only so in vulgar estimation; with this proviso, that we do not so from any contempt. The same principle will attach us to those, in whose presence we should be sorry to have done any thing which it would be really shameful to do, as also to those with whom we dispute for precedence, and such as we wish to emulate, but not to envy us: for, those persons will at least render their friendship desirable.

* Book i.

We must likewise have an affection for those to whom we lend a helping hand in showing what advantages they should pursue, provided that, in so doing, there shall not accrue to ourselves a loss or damage greater than the good which we would procure for them.

Our affections are inclined in like manner towards those whose love of their friends is the same in absence as in presence. Hence the world particularly esteems those persons whose affections are not entombed with the bodies of their friends. And we likewise cherish those who are so ardently attached by the ties of friendship, as not to abandon a friend upon any occasion. The most incomparable of all worldly possessions is a perfect friend.

We also love those who are not dissemblers: such as persons who are candid enough not to conceal any thing from a friend, even their very imperfections: for, as was before observed, we never feel ashamed to tell those things to our friends, which are not censurable except in vulgar opinion.

Upon this head, and arguing by contraries, we may establish the following maxim:

“That if it be true, that he who is ashamed to discover certain things to another, cannot be accounted his friend, it will follow, that he who frankly discovers them, gives a proof of his affection.”

Finally, we are attached to all those who are not formidable to us, and those in whom we can confide: for, those who make themselves feared can never be loved.

Of the different Sorts of Friendship.

The most remarkable of these are *society*, *familiarity*, *poverty*, *alliance*, and such-like. The arcana of creating friendship lies "in obliging and doing good," also "in doing so with that good grace, which supersedes the necessity of being requested," and "not boasting of it when done." To oblige thus, stamps the conviction of our disinterested consideration for the person obliged.

The Difference between Hatred and Anger.

The contrary of friendship gives the knowledge of what is understood by enmity or hatred. With regard to the causes of the latter, they are three, viz. *anger*, *importunity*, and *calumny*.

There is, however, so wide a difference between *anger* and *hatred*, that we never fall into the former passion except on account of such things as are done to or regard us personally; whereas, we may entertain a hatred, though nothing has been done to affect us; as it is only necessary for us to hold an opinion of any man's

possessing a vicious propensity, in order to our aversion of him. Anger, moreover, has this distinctive quality, that its operation is confined to certain objects; for instance, to *Callias* or *Socrates*: whereas, hatred goes farther, applying itself generally, and to the nature of things; because there is no man who does not hate a thief or a slanderer, even though he know him not. Anger has a remedy in time—hatred is incurable. Anger, again, is so far peculiar, that it does not proceed to extremities, being content within the sphere of those actions which are simply annoying. It is not so with hatred: the object of which is to do an absolute mischief, and not a simple annoyance. The angry man's design in revenging himself, is to make the other feel him as the avenger; but he who hates another, cares not whether the object of his hatred know him as such or not.

With respect to those things which are either simply *annoying*, or absolutely *mischievous*, it is to be remarked, that the former are all sensible in their nature; whereas, the others are quite the reverse, even those in the highest degree mischievous not being felt. Folly and injustice, for instance, which are, undoubtedly, the two greatest evils which can befall a man, are by no means sensible. In fact, in becoming wicked, people feel no pain. Anger is also different from hatred in this respect, that the latter is exempt from trouble

and vexation, whereas the former is continually in a state of both : for the choleric man always feels something tormenting within him, which is not the case with a man of hatred. Finally, the choleric man differs from him who hates, inasmuch as the former can be led away by compassion whenever his adversary is assailed by complicated evils ; whereas the latter is induced by no consideration nor occurrence, to pity the object of his hatred. The reason is, that the angry man merely intends to retaliate, and make his adversary feel that he was mistaken in the object of his original attack ; but he who hates another, is satisfied with nothing short of his total annihilation.

By means then of those topics which we have given, it will be easy to show not only when and where a real friendship or enmity subsists ; but also to unmask the false pretensions of those who aim at being accounted friends ; and even to make persons pass for either friends or foes, who, in reality, are neither. In a word, whenever a contest takes place between persons, with regard to whom a doubt shall arise, whether what has happened were done through anger or through enmity, it is apparent what address is necessary to be made use of in order to impress a judge with whatever we wish him to believe.

CHAP. V.

Of FEAR and CONFIDENCE.

We have now to demonstrate those persons or things of which men stand in awe, and the state in which the apprehensive must feel themselves.

Let us suppose, "that fear is a certain agitation and disturbance of the mind created by representing to our imaginations some evil which will befall us, to the prejudice of our property or the danger of our lives; or some other considerable affliction." It must not however be imagined that all descriptions of evil indifferently create fear; for instance, people feel little apprehension on the score of becoming depraved, or blockheads. We generally apprehend those things alone which are capable of producing a considerable affliction or a total loss to us: and this more particularly, if the evil be not far distant, but approximating, or on the point of occurring. The great remoteness of any evil weakens the apprehension entertained of it, which is illustrated in the instance of death: for, though mankind universally know that they must die, yet because each man does not think

it will happen so soon as it really turns out, he gives himself no anxiety about it *.

According then to our definition of fear, the first object of that passion we may conclude to be,

1. " Whatever appears sufficiently powerful to destroy us, or at least to injure us in matters whereby great affliction might be caused to us."

For this reason, every mark or denotation of such evils being about to visit us, is formidable: for a sign shows the proximity of what it denotes. This is what properly is termed *danger*; the dictate of which is that of the near approach of something to be feared. Among such signs we may rank,

2. " The enmity and anger of those who are able to do us an injury."

In this case, we entertain no doubt of the will accompanying the power; so that such persons might be reckoned on as momentarily ready to accomplish their evil designs.

3. " Injustice, when armed with power and executive authority;" because a wicked man is

* I cannot here forbear quoting that finely drawn picture, by which Dr. Young has illustrated this prevailing weakness:

" Like damag'd clocks, whose hand and bell dissent,
Folly strikes *six*, while nature points to *twelve*:—
What folly can be ranker? Like our shadows,
Our wishes lengthen as our sun declines."

YOUNG'S *Night Thoughts*.

TRANSLATOR.

so, merely in consideration of his prepense inclination to evil, and because he thinks of nothing else.

4. "Offended merit, or distinguished courage, whenever persons of this description arrive at the possession of credit, and the power of avenging themselves;" for, it cannot be doubted, but that whenever such persons have received unworthy treatment, they make inward protestations of revenge, in due time; and now we suppose them capable of putting such threats into execution.

5. We may justly take alarm "at the apprehension which those, who are enabled to injure us, manifest before us," as being ever in search of means to get rid of their apprehensions, by ridding themselves of us.

As most men addict themselves more willingly to evil than to good, and are so attached to self-interest, as to do any thing for money; besides being degenerate and cowardly in all cases where they believe any danger to exist; we may come to this inference,

6. "That to be at the mercy of another, is a thing much to be feared;"

7. And consequently, "that we should be in considerable apprehension of those whom we have associated with us in some enormous crime, or who have seen us commit it;" for, we have no

assurance that they will not discover us in the end, or abandon us at a critical moment.

8. It may also be said, "that he who has the power of doing a mischief, ought to be feared by those who afford him facilities for it;" because men in general, omit no opportunity of injury when it offers.

9. We may, with equal reason, dread "both those whom we have actually offended, or those who only fancy themselves to be so;" because they will be vigilantly awake to every opportunity of revenge.

10. The same may be said "of those, who having formerly injured us, have recently attained to power;" because such people will be continually apprehensive of our retaliation.

11. We may also entertain fears "of those who are our competitors for an object which all cannot attain together:" for, this supposes an incessant warfare between the parties.

12. "All those who are dreaded by persons more powerful than ourselves, should be also dreaded by us;" for, in this case, a greater facility of injury is held out to our prejudice, and beyond the means of our resistance.

13. For the same reason, we should fear "those who are feared by persons more powerful than we are."

14. As also "those who have slain men pos-

sessed of more strength and address than ourselves."

15. And in like manner, "all those who have attacked others more feeble than ourselves;" for, in this case, it is to be feared, that they will either make an immediate attack upon us, or await the return of their strength for that purpose. In fact, we should be apprehensive of all those who are formidable to us, whether on account of their being offended with us, being our enemies, or simply our adversaries. Without doubt, however, there is less occasion for being on one's guard against those who are quick in passion, or in the habit of instantly speaking their real thoughts; than of

16. "Those who make no show of resentment, but dissemble, and appear completely neutralized, making use of the most malicious finesse;" for, as in this case it is impossible to fathom their designs, and provided they have no immediately convenient opportunity of injuring us, there can be no ground for supposing that it is a postponed revenge, and that the mischief they intend us is very distant.

Among those *things* which are beyond comparison more to be feared than others, are the following:

17. "That which having once failed to perform what it ought, cannot be restored to its functions by any remedy;" whether of itself the

the thing be impossible, or that it has lapsed from our power to that of our enemy or adversary.

18. "Those things which we cannot possibly obtain, or at least where there is a difficulty of obtaining the aid of any person."

19. "Whatever, having happened, or being on the point of happening to others, excites compassion in us."

Let us now explain the state of mind incidental to persons affected by fear.

Of Persons subject to Fear.

If fear keeps us alive to the expectation of suffering some dangerous, or totally destructive evil, we may easily conclude :

1. "That the person, who does not think any evil is to befall him, will not be affected by fear."

2. "That no one will apprehend any particular evil, which he does not represent to himself he is to suffer."

3. "He will not fear those of whom he has no distrust or suspicion."

4. "That a man will always be unapprehensive whenever he least expects the occurrence of an evil."

From these negatives we may infer the two following affirmative conclusions :

5. "That those will always be apprehensive, who believe something disagreeable in general is to befall them."

6. "As will those who have to undergo some particular thing, from certain persons, and precisely at a certain period."

Of Persons not subject to Fear.

1. We may first begin with "those who are blessed with prosperous and elevated fortunes." This it is which commonly renders such people overbearing, audacious, and contemptuous. The source of this disposition is afforded by their wealth, strength, credit, extensive circle of friends, or power.

2. We may take into the account, "those who believe that they have endured all the shocks of life, or who are not without hope of the future; such as criminals when under punishment." It cannot be said of such persons, that they entertain fears in such a state; for, fear has this peculiarity, that it never abandons a person to extremities, but leaves him some slight hope of surmounting his afflictions. In proof of this, if we closely investigate the nature and effects of fear, we shall find that it always causes us to consult and meditate on the means whereby we may avoid an imminent evil. Now, it is obvious that no one deliberates in any matter wherein he has no hope.

Whenever, then, an orator shall be of opinion, that his cause is likely to be benefited by the excitement of fear in the minds of his hearers, he

must endeavour to impress them with the belief, "that, situated as they are, they have reasonable grounds to apprehend that some evil will befall them, because it has happened to others much more powerful, and better able to repel it than they are." And he should, thereupon, represent to them, "that such and such individuals, their equals, are so afflicted at the present moment, or have been so heretofore; that such misfortunes were brought on them by men, of whom they had not the least suspicion, and of whom they were far from entertaining any such opinion; and still further, that the circumstances and time were those which they had least calculated upon."

Of CONFIDENCE,

Of this we shall speak in the same divisional arrangement, as we did of the former. Confidence, or assurance, may be defined to be "a certain hope which is generated in the mind, by imagining that those things upon which our preservation depends, are near at hand: as well as by supposing, that those things which may be prejudicial to us, or cause us any apprehension, either do not at all exist, or are distant as to occurrence."

We may lay down the five following considerations, as productive of self-confidence.

1. "When we perceive that we are remote

from all kinds of misfortune, and approximating to whatever can give the mind assurance, and banish apprehension."

2. "When we see ourselves in a condition to repair the faults we may have committed, or the mishaps which may have befallen us."

3. "When we have the immediate resource of succour, either considerable in its quantity or quality, or in both together."

4. "When we are convinced of never having offered to, or received an injury from any person."

5. "When we behold ourselves unrivalled by any competition in regard to our pretensions; and provided we have rivals, that they either be people of no repute; if they be reputable, that they are our friends, or linked to us by a reciprocity of obligation; or, if none of those cases occur, that we are compensated for their absence, by a number of persons interesting themselves on our side, that our partisans are more powerful than those of our competitors, or that we possess both those advantages together."

Of the Self-confident.

In classing this description of persons, we shall commence with,

1. "All those who are persuaded of their past success in whatever they have undertaken, without encountering any difficulties or damages."

2. " All, who on former occasions, being involved in danger or trouble, have happily extricated themselves; as we can only condemn, or be unapprehensive of danger, for two reasons: either because we have not yet experienced any, or that we believe ourselves to possess sufficient skill or success, to retrieve ourselves in case of necessity. This may be instanced in a storm at sea, when those who are unacquainted with the nature of it, fancy the danger not to be so great as it is, and always believe that it will be trivial in the issue; while, in an equal degree, those who are skilled in marine affairs, evince no surprise, by reason of their experience.

3. We may include " those who know that similar dangers have not caused apprehensions in their equals, in those whom they do not value, or of whom they entertain an opinion inferior to what they do of themselves." Our estimation is always more in favour of self than others, for three reasons: either on account of our already possessing an advantage over the party himself, his equals, or his superiors.

4. A perfect assurance is excited by the conviction, " that we possess whatever renders men more dreaded than others, from a superiority of advantage or lustre in those respects; when our possession is heightened by being more distinguished in point of excellence or quality, than that of any other person:" such, for instance, as being rich; possessing a well-fortified country, or

a considerable number of men under our orders; being strong in friends; and, in case of warfare, possessing either all, or the most necessary preparations for it.

5. A man will be self-confident "when he is conscious of never having injured another; when he has injured only a few, or those whom he has no reason to apprehend."

6. That man will be strongly fortified against the threats or undertakings of the wicked, "who believes himself to be favoured and protected by the gods; and particularly if such an impression be seconded by happy auguries, or oracular answers." Upon the two last propositions, it is to be observed, that there are two different circumstances equally productive of self-assurance. In the first case, the anger by which we are hurried away for the moment, will lead us to that feeling; for this passion is replete with confidence, as it is not incidental to the person who commits, but to him who receives an injury. In the second place, we are well assured by the hope of assistance from Heaven; as it is the current belief that the gods take the injured under their protection; and, sooner or later, avenge themselves on the unjust.

7. "Men are commonly much emboldened in the case of their making the first aggression, if they conceive that they are in no danger therefrom, that no evil can arise to them from it, or that they shall compass their design."

CHAP. VI.

Of Shame and Impudence.

We shall commence this head with the supposition, that "shame is a certain disorder of the mind, created by the seeming tendency of any mishap to the prejudice of our reputation, whether such injury be only in expectance, or have already occurred;" and upon the contrary hypothesis, that "impudence is a contempt of, and indifference to, similar misfortunes." The first conclusion to be deduced is,

"That we must feel ashamed of all those evils and disasters which have an apparent tendency to our own dishonour, or that of persons with whom we are connected, or for whom we feel an interest." Of this description are all the works and actions which proceed from vice; such as,

1. "Throwing away our arms, and betaking ourselves to flight, instead of giving battle in the field:" for, this is the effect of cowardice.

2. "Refusing to surrender a trust, or denying the receipt of it:" for, this is an extreme act of injustice.

3. "Cohabitation with forbidden persons; and even with those to whom the prohibition does not extend, at certain times, and in certain places;"

for, this proceeds from intemperance, and demonstrates the want of a restraint upon the passions.

4. "The derival of profit from petty or dishonest sources, or from such things as seem incompetent to the return of a gain, such as the poor and the dead:" hence the proverb, "to find something to lay hold of in a dead man." Such a species of gain is, undoubtedly, shameful, and unbecoming an honest man.

5. "Refusing pecuniary assistance, when our ability is unquestioned, to a friend in distress, or assisting him by halves."

6. "Desiring assistance from persons who are much worse off than ourselves."

7. "Asking a loan from another, when we well know that he has been borrowing himself."

8. "Requiring a new loan when we are convinced that the lender is on the point of demanding the return of what we already owe to him."

9. "Asking what is due to us, merely because we believe that it is the intention of our debtor to ask a new loan."

10. "Praising any thing in such a manner, as that our encomiums convey the strong inclination we have to request it as a gift." And :

11. "Persevering in the request of any thing as a gift, which has been already refused."

For, all such actions as those are strong testimonials of meanness and avarice.

12. "Praising another in his presence."

13. "Bestowing excessive commendations on the actions of any man when he has done any thing meritorious."

14. "Disguising an action, and wishing to pass it as a good one."

15. "Counterfeiting even more affliction than the person really troubled;" for, such modes of conduct are produced by flattery alone.

16. "Not being capable of enduring the same things, or undergoing the same fatigue, as persons do, who are more aged than ourselves, more accustomed to delicate living, who are in a higher sphere of life, or who are incomparably weaker than we are;" for, this is the effect of a luxurious effeminacy.

17. "Receiving a favour too frequently from one person."

18. "Regretting the good we have done."

For, those are principles peculiar to men of narrow and degenerate minds.

19. "Praising one's self."

20. "Promising more than we can perform."

21. "Assuming to ourselves the merit of a thing which we have not done;" because such actions depict the man of arrogance and self-sufficiency.

The catalogue may be extended with regard to all the other defects or imperfections of a man, which transgress the rules of decorum or honour.

The deformities of shame will likewise be attendant upon the least signs of approaches or relations to those faults and vicious actions we have enumerated.

An additional cause of shame will arise out of,

22. "Our seeing that we are wanting in those honourable advantages, in which the rest of mankind, or the greater part of our equals, or those who resemble us, participate."

By *equals* or *similars*, I mean such persons as are of the same nation, town, age, descent, &c. with ourselves. Now, as an instance of shame in this respect, it would surely be a matter of reproach for a man not to have studied so far, as is compatible with his situation in life. The stain, however, will be still greater, if the fault shall exclusively attach to ourselves, as it is then the effect of some vice; and it will be so far more censurable, as we shall have to blame ourselves also for its consequences, either past, present, or to come.

A man will evince shame at the present, past, or prospective circumstance of his sufferance in matters tending to censure or dishonour him. This is the case with regard to the unworthy services of the body, and all dishonest actions subject to reproach or disgrace: of lascivious and incontinent actions there is positively not one, whether of voluntary permission or otherwise, which is not shameful and attended with infamy.

As to others wherein force and compulsion are used; those only are shameful which are endured in one's own person. The reason is obviously this, that sufferance without revenge in such cases, is a mark of degeneracy and cowardice; for, it will always be supposed, that if an inclination to self-defence existed, the injury would not have been sustained.—We now come to

Those Persons, before whom we are apt to manifest Shame.

As shame is that peculiar feeling which causes us to dread scandal in the loss of reputation, solely from an apprehension of the scandal itself, not of its consequences; and as no man troubles himself merely on account of the opinion promulgated respecting him, except in relation to the persons who entertain that opinion; it will be a necessary conclusion,

“ That we must always feel ashamed in the presence of those upon whom we set a high estimation; such as those with whom we are in repute, whom we ourselves value, or by whom we wish to be esteemed; those whom we look upon with emulation, or with whom we contest rank; in a word, all those whose judgments we do not despise. For instance, we are abashed before persons distinguished for those advantages which are honoured by the world, or possessing those things, which, from necessity or passion,

we eagerly desire; as is the case with lovers; and we feel equal bashfulness before our equals, and before men of prudence and real discernment, such as the aged or the learned commonly are.

We are likewise apt to be confused in matters which are open to the view of the entire world; whence the proverb, "That shame dwells in the eyes." This is also the reason why we are more ashamed in the presence of those who are incessantly conversant with us, for the observance of all our actions, than we are in that of other persons.

We also feel shame in the presence of persons who are not liable to the same vices as ourselves; for, in this case, we can have no doubt, that, as they have no room for censuring such things in themselves, their sentiments are quite opposite to ours. It will be the same with regard to those who neither forgive, nor are lenient towards the failings of others: for, if the common saying be true, "That a man never reprehends his neighbour for faults which he has himself committed," he will certainly reprove him for those which he has not.

In doing any thing, we are inclined to conceal ourselves from those who will divulge what they know. Before persons of secrecy one feels no shame of an action, by reason of its appearing to the world that he has not so acted; for, there is no difference between appearing not to have done a thing, and doing it before persons who

will keep it a secret. In this place, we must observe, that there are two descriptions of persons who publish and report to others whatever they know. The first are those whom we have offended, as they are constant spies upon our every action; the second are backbiters, who, if they spontaneously make bad report of what is not reprehensible, will, for stronger reasons, publish that which is really worthy of reproof.

A man will equally incline to concealment from persons whose sole study is taken up in observing the imperfections of others; such, for instance, as buffoons and comic poets; for of those we may say, in some measure, that they are backbiters who publish all they know.

We are usually bashful in the presence of those who have never denied our request of any favour; for in this case we view ourselves as sharing in their esteem. It is for this reason that a man feels ashamed of refusing another upon his first request, as having never yet given room to entertain a bad opinion of him. The persons whom we are ashamed of refusing, are, first, "those who for some time have sought our acquaintance, and testified a wish to become our friends;" for, then it seems that they know us only by the strikingly good qualities which appear in us: and hereupon was founded the elegant reply of *Euripides* to the people of *Syracuse*. In the second place, we feel awkward in refusing

“ those whom we for a long time have known, and who cannot say that they have ever recognised any thing ill in us.”

Shame is equally attendant upon the least token of those things which we have recited, as upon the things themselves; for instance: a man will not only be ashamed of being caught in bed with certain women, but even of being suspected thereof. And a man will not only be abashed on account of having been surprised in some dishonest act, but also even in being found speaking of, or meditating it. The same remark will apply to *persons*; as we should not only be ashamed in presence of those persons whom we have enumerated, but even of those who report to them, such as their servants or their friends. A person, however, does not feel ashamed before those whose judgment or discrimination, in matters requiring either, he holds of no account. A man is not apt to blush for his actions before children or fools; nor to be ashamed of the same things, equally before those with whom he has an acquaintance of a long standing, and those who are totally unknown to him. In presence of our acquaintances we never feel ashamed of any thing except what is truly censurable; and with regard to strangers, whatever shame we may feel, is in matters dependent purely upon opinion. We now come to

The Persons liable to feel Shame.

And, first, in this class, we may account "those who will have to appear before persons of that quality, which, according to our observation, reflects credit and respect among men." Such also are those with whom we either are or wish to be on a reciprocal footing of esteem; or from whom we expect some favour, which we should never obtain, if we did not stand well in their regard and opinion of us. This latter description of persons are again divisible into two kinds; viz.

1. "Those who are present and ocular witnesses of all our actions." Hence, *Cydias*, upon the question of sending colonies to *Samos*, and apportioning the possessions of its inhabitants, designing to restrain the *Athenians* by shame, and to prevent their coming to any rash or injudicious determination upon the subject, besought them, before they emigrated, to represent to themselves all *Greece* assembled around them, and that they would not only hear the judgment which she would give, but would even see what was comprised within it.

2. "Those who are so closely our neighbours, that nothing which we do can escape their observation." For this reason, persons who have been in elevated fortunes, and have figured in the world, when they come to decay, avoid

by all possible means appearing before those whom they before treated on terms of equality and emulation : for, those whom we would emulate, and propose as our models, are persons whom we must esteem. Those will also be subject to this feeling in whose own persons, those of their ancestors, or others nearly interested with them, any action or thing is to be met which reflects dishonour. In a word, we must feel the blush of shame in matters so affecting persons in whose honour we have a concern, and whose disgrace would reflect upon ourselves : such as those before remarked ; as well as our dependents and connexions of every denomination ; those in the habit of using our advice, or those whose masters we have been.

Shame, in like manner, influences such as contest rank with their equals : for, it is certain, that persons of this description are, in many cases, restrained from doing what they otherwise would, or stimulated to perform what otherwise they would not have done.

This feeling will also operate on persons, in a stronger degree than on others, on whom (something reproachful having happened in their conduct) there is a necessity imposed of frequently appearing before those who are acquainted with it. This was the reason which induced the poet *Antiphon*, while he was led to punishment by order of *Dionysius* the Tyrant,

to say to the persons who were to suffer with him, when he perceived them concealing their faces on going out of prison : " What have you, that you would conceal ? Do you fear lest any of the present multitude, whose eyes are fixed on you, should come to-morrow to recognise you ?"

We need not go into equal detail upon the subject of *impudence*, which can be estimated in its various bearings by the contrary of what has been said concerning shame.

CHAP. VII.

Of BENEFITS.

When we come to explain the nature of these in their exact definition, we shall easily ascertain the persons who oblige, the matters wherein they do so, and the motives whereby they are actuated.

Let us suppose then that " a benefit is that thing by means of which we say, that a man who possesses the power of obliging and doing good, virtually does so towards another in need of it, not from interested motives, nor the expect-

ation of gain, but merely on account of the pleasure which he feels in obliging and doing good towards that person." Here it is to be observed, that a benefit is considerable in four points of view: either with reference "to the persons obliged," if they be in extreme necessity; to the "matter conferred," if it be important or difficult of attainment; to "the time," if the obligation be rendered upon certain occasions; or, finally, "with reference to the person obliging," if he be the first or only one who has done a similar thing, or if his proportion in contributing thereto, exceed that of any other individual. By the word *necessity*, or *want*, we are to understand all the cravings of the sensual appetite; and principally those which are impatient and troublesome, if not possessing what they require. Of this latter description are, the desires of love, those attached to disease, or situations of peril: for, the man who is in danger forms some wish in that state, as does the person in any suffering. For this reason, those who are pressed by extreme want, or who are in exile, always look upon the most trifling succour as a matter of great consideration. We need no illustrative example of this beyond the small mat which was given in the *Lyceum* to him who so much needed it.

In order to render a true gratification, we should really oblige in those matters which we

have specified, if not in others either equal or superior.

Now, since we know the occasions and things when and wherein to oblige, and the state in which the obliged party is, if we would impress the belief, that one person stands obliged to another, we need only show, by recourse to the foregoing means, "That such a person has been afflicted in a certain way, or pressed by a certain necessity, and that the party to whom he is obliged afforded him a certain succour and consolation in that state." It is equally feasible, what may be urged, when we would depreciate a person's kindness, and shake off any obligation to him: for, it would only be necessary to remonstrate, "that his past or present acts proceeded from mere interest;" they never, therefore, according to the definition, could be accounted benefits. We might equally remonstrate, "That what such a person has done, is either from chance or constraint; or, in case that we have done the same thing for him before, that it was merely his duty to do so." In the latter of these cases, it matters not whether the party be aware of our priority in action, because, take the matter as he will, it will always appear as one consideration set against another, as a loan for a return; so that, properly speaking, it cannot be termed a benefit. Another manner of under-rating, or reducing to nothing,

a person's kindness is, by entering into a *categorical* research and examination of the circumstances attendant on it, which may be in question: as every obligation or benefit supposes a thing to have been done, either of such a nature, at such a time, or in such a place.

As to the signs and tokens merely, which may lead to a belief that one man has no obligation to another for what he has done, it is alone needful to show, "that, upon occasions even of more trivial import, he declined doing the party a favour, or that he has done the same thing for his enemies, in quite as great, or even in a superior consideration." By these means, it will be seen, that what has been so done, was not from a regard for the person, nor with the intent of obliging him. In the same manner it is competent to show, "that whatever he has given, he has given merely because it was of no value or use to himself: for, there is no one who will not grant that he can have no need of what is useless, or of no value."

So far for benefits and obligations.

CHAP. VIII.

Of COMPASSION.

The same arrangement as to the cause, agent, and necessary condition, with respect to this passion, shall be followed as in the others preceding. We shall commence upon the supposition, that "compassion is a troubled emotion which we feel with regard to any evil which seemingly menaces a person with utter ruin, or at least with considerable suffering, though he by no means merits such an affliction; upon this condition, however, that the compassionate man be so situated as to apprehend a similar visitation upon himself, or some one of those with whom he is connected, as being neither exempt, nor far removed from its occurrence." The latter part of the definition is indispensable to the capacity of feeling pity for another. This is the reason why men, who are utterly ruined, and hopelessly wretched, feel no compassion for others, because they have a conviction that their present state is the boundary of their suffering, and therefore they apprehend no further misery. In like manner with those who conceive that they have attained to perfect happiness: for, such people, far from being compassionate, are commonly injurious and overbearing; and, in fact,

because they believe that nothing is wanting to them, they take reason to suppose that no misfortune can befall them. It is no trivial blessing to be possessed with this idea, as we have in another place remarked.

With respect to those who believe that they have reason to fear for themselves that misfortune which they see others suffer, they are,

1. Persons who have already had experience of, and escaped from, the same disaster.

2. Aged persons, as much on account of their prudence, as of their worldly experience.

3. All persons of an extremely fearful disposition, or subject to infirmities.

4. The learned : for they are so far peculiar, that they are more considerative than others, from their knowledge of things intrinsically, as well as by the help of reason.

5. All those who possess the relative ties of father, mother, wife, child, &c.; because, in those cases, we are nearly concerned on account of their liability to accidents similar to those we have already mentioned.

We may except from the preceding class, those who are addicted to the bold passions which inspire courage, such as anger and confidence, because such passions never reflect upon the future.

2. We may except the haughty and overbear-

ing: for, they never think of the misfortunes which may befall them.

3. All those who hold a medium between the two preceding extremes.

4. We may except all those who may happen to be greatly affrighted; for, such a state leaves no room for the entrance of pity, taking full possession of the mind, and inspiring no other sensations than its own. In fine, they will be sensible to the emotions of pity, who believe that there are good people to be found in the world; and he who entertains a contrary sentiment, far from compassionating the afflictions of others, imagines that all those whom he perceives in suffering, have only their deserts. That man will be equally compassionate, who recollects that the misfortunes which he beholds, have already been the lot of himself, or some of his friends; or if he be persuaded that they may possibly, at some future period, befall either him or them.

Of Things which excite Compassion.

After the definition which has been already given, no difficulty can arise in ascertaining the nature of those things which elicit pity from the human breast. They are as follow:

I. "Whatever carries corruption with it, or menaces total annihilation."

2. "Every considerable misery which may be attributed to fortune as its source."

Of the former description of things, are death in its various forms, wounds, pains, and other bodily afflictions; old age, disease, and want of nourishment. As to the evils which have their origin in fortune, we may first set down, "that of having few or no friends." Hence, when persons are torn from the arms of those whom they love, or with whom they have been accustomed to live, it is a circumstance which merits compassion.

2. We may take into the account, deformity, debility, or mutilation of the limbs.

3. Certain remarkable occurrences: such, for instance, as when it unhappily turns out for a person, that, from the quarter whence he expected good, he has derived nothing but evil; and this more than once. In the same manner, our compassion must be awakened, when misfortune acts in such despite towards a person, that, though he has hopes of a good which will be a sufficient set-off against the evil which oppresses him; yet it comes only when the matter is brought to issue, and the evil is already endured. Such was the adventure of *Diopithes* *, who was found dead at the very

* I do not well know who this *Diopithes* is; whether he be the Athenian general of whom *Demosthenes* speaks in his

moment when the King of Persia's presents were brought to him.

In fine, our pity will extend to all persons who have never experienced a blessing in their lives, or, if any have occurred, are incapable of enjoying it.

Of Persons whom we compassionate.

With regard to those who awaken our commiseration, we shall begin with "our familiars and acquaintances;" provided that they do not affect us too nearly: for we should then consider their misfortune as our own, and we should be as sensible to it as themselves. It is told of *Amasis* *, that he did not shed a single tear when he saw his son led to punishment, and that he wept on beholding one of his friends begging alms. In point of fact, the latter misfortune was merely pitiable; whereas the former was frightful and terrific for a father to behold.

third *Philippic*, or the famous soothsayer mentioned by *Aristophanes*. It is certain, however, that the person alluded to, having for a long time been extremely necessitous, died at the critical moment when the Persian monarch sent him wherewithal to live at ease.

* This story is told by *Herodotus*. It is remarkable that *Aristotle* should attribute to *Amasis* what happened to his son *Psamenitus*; he must either, from want of recollection, have mistaken the one for the other, or, probably, confided in other authority than that of *Herodotus*.

There is a wide interval between what creates horror, and what excites pity: the former feeling not only chases away the latter from the breast, but even frequently gives rise to an emotion quite the reverse.

We also compassionate those who are menaced with, or on the point of falling into, some misfortune; and equally those who are similar in all respects to ourselves, such as persons of the same age, humour, habit, quality, or equal birth. In this latter case, we have good reason to apprehend that their misfortunes may be ours: for, it is a maxim, that whatever we stand in apprehension of, lest it should befall us, is that which excites compassion when it has befallen others.

Those things alone excite compassion, which we see near at hand, or which seem to approach us. On the contrary, a very distant disaster,—for instance, one which has occurred a thousand years ago, or which will not happen for ten thousand years to come, whether we believe, in the one case, that it will infallibly occur, or, in the other, recollect that it has formerly happened,—an evil of this kind, I say, will either affect us very little or not at all. From this observation we may infer,

1. “That all persons whose gestures, voice, or apparel, have been represented to us, or who are perfectly held up to our view by imitation,

will, without comparison, excite more pity than others; because, by the illusion, the misfortunes of such persons are represented as quite near: it matters not whether in past or future occurrence."

2. "That the misfortune which has happened a short time ago, or which is on the eve of occurring, is much more pitiable than others."

3. "The same observation will apply to every token or action whereby it may be known that such things have really befallen a person: for example, the bloody garments of a man who has been killed; the complaints and language of a person in extreme anguish; and whatever expressions a person afflicted by pain or misfortune may utter: such as the last words of a man at the point of death. A man's miseries will be particularly affecting, if it appear that he has displayed great virtue, and manifested a perfect constancy in the midst of his misfortunes. All these circumstances giving a nearer view of the thing, we entertain more compassion for the time, as if it seemed that the person represented in such a condition, had no other merit than that of his misfortune; which being so depicted, will strike our imagination as present to the eye.

CHAP. IX.

Of INDIGNATION.

This passion is the opposite of the foregoing one, and may be defined to be, "that displeasure which a man feels when he perceives the prosperity of an undeserving person." Indignation supposes in its votaries a similitude of mind and manner; and, equally with pity, originates in laudable principles, and good natural dispositions: for, it is as much the part of a worthy man to be indignant, and to grudge the prosperity or honours of an undeserving individual, as it would be to entertain commiseration for those who are unmeritedly afflicted. Whatever befalls a man, without merit or demerit on his part, of good or evil, is unjust and provoking; wherefore, we even attribute the feeling of indignation to the gods. It is necessary to forewarn the reader, that envy and indignation should not by any means be supposed as being equally the reverse of pity: for, though envy as well as indignation is the effect of an annoying and unpleasant regret, created by our perception of another man's prosperity, yet, in this respect, the former differs from the latter, that it is not the unworthiness of the individual, but his equality or competition with

the envious man, which causes the latter to feel chagrined by that individual's prosperity. Envy and indignation, however, have this, in common to both, that those who are affected by either, are never annoyed by the happiness of any man, on account of the prejudice or evil which it might entail on themselves, but merely with reference to the object of their aversion who is so favoured. If the unpleasant feeling arose wholly from the apprehension of a man's good fortune turning to our disadvantage, then it would be neither envy nor indignation, but pure fear.

Pity and indignation are so far similar, as that a contrary passion will be the effect of both: for it necessarily follows, that, "whoever feels afflicted by the misfortunes of a man who merits the contrary, must feel a joy, or, at least, feel no commiseration for the misfortunes of those who have merited them." For instance, a worthy man will not be dejected by the punishment of a parricide or a murderer: such retribution being that in which the whole community has reason to rejoice. In like manner, he will not be afflicted in feeling, by witnessing the prosperity and rewards of virtuous merit; both cases being equally just: but the latter must more especially contribute to the joy and satisfaction of a good man, as it will give him a well-founded reason to hope, "that what has happened to his like, will happen to

himself." The passions which are opposite to pity and indignation proceed from bad principles and opposite dispositions. The person who malignantly triumphs in the misfortune of another is invariably an envious man ; and it is necessarily a consequence, that whoever afflicts himself on account of another man's happiness, must feel rejoiced in its being reversed. Such a passion is incompatible with pity, and prevents the entrance of such a feeling into the breast wherever both come in contact : for, they are mutually repugnant, for the reasons already stated. A continued state of indignation, equally with envy, steels the heart against the admission of pity.

Objects which excite Indignation.

Taking indignation to be that feeling which we have just now explained, it will necessarily follow,

"That all sorts of good fortune befalling others, are not equally capable of attracting indignation." For, no one is disposed to be indignant at, or to take amiss, the happy lot of a worthy man, whether he be distinguished for valour, or any other good quality. If it were otherwise, it would follow, by the rule of contraries, that the opposite vices would create commiseration, which is not the case. But we

are usually indignant that a man should possess wealth or power, who is unworthy of either: such things being the actual due and recompense of worthy men. And indignation is equally excited by the unworthy possession of such advantages as nature or circumstance has conferred on a man at his birth: such as beauty, nobility, and such-like.

Persons against whom we entertain Indignation.

As every thing which is of a long standing or possession in a family, seems in a manner natural to it, and, as it were, the due of the possessor, we may conclude, "that, of several possessing a good of the same quality,—those who hold it for the shortest period, and yet arrive, by its means, at places of higher distinction and trust, will draw down upon them considerably more indignation than others:" because there will be much more food for vexatious remark, in the enrichment of upstarts, than there would with respect to persons distinguished time immemorial for their ancestral possessions, regularly transmitted to them. We may in like manner infer, that the same indignation will be felt towards such as within a short time have been exalted to situations of command, the possession of power or of friends, who are within a short period only, happy in their chil-

dren, &c.; and more particularly if such advantages have proceeded from others within the same short period." Mankind with more difficulty endure the authority of upstarts, which is created by their wealth, than they do that of persons long noted for opulence. Similar feelings obtain among men, with respect to the date of other acquisitions newly obtained. Long possession of a thing seems to confer a legitimate, and, as it were, a peculiar right of property: whereas, those who cannot plead it, pass for usurpers. And, again, that which has never changed its state is as it should be; so that, it is an incitement to our belief, that the possession of short date is not the property of the possessor. Furthermore, it is to be remarked, that all goods, generally speaking, and taking each in particular, have not been made for all descriptions of persons, nor for the first comer; in which respect, a certain order and decency is to be maintained; for instance: a fine suit of armour is not so fit for the lawyer as the soldier; nor high connexions so compatible with the suddenly rich, as with men of illustrious rank and descent. We may make the following inferential observations:

"That to see any thing befall an honourable or distinguished man, contrary to his merit or the decorum due to his rank, must excite indignation." As also,

“To see an ignorant or unskilful man, presuming to under-rate another who has more ability, particularly if both be of the same profession, and that their contest originated in some point regarding that profession.” Hence, *Homer* has said of *Cebriones* the Trojan,

“ Though brave and daring in th’ embattled field,
To stouter Ajax’ arm he soon should yield;
But Jove, indignant at th’ unequal fight,
Incites the Trojan to a speedy flight.”

Indignation must also be roused, “ whenever an inferior pretends to cope with, and refuses to submit to his superior, in whatever matter it might occur.” For instance, if a mere musician were to attack a professional dispenser of justice; as the profession of the former is much less considerable than the latter. Now to the

Persons subject to feel Indignation.

1. And, first, we shall rank “ those, who being endowed with qualities entitling them to something more elevated and considerable, are coalesced in circumstances, with persons not possessing equal merit.” For, it is not just that such persons should feel themselves held in the same consideration, and participators in the same honours, with people wholly dissimilar, and far inferior to them.

2. We may include "all honourable and virtuous men," as possessing discrimination of merit, and not being liable to permit injustice.

3. We may take into the account "the man of high ambition, who canvasses some employ, whereby he may acquire worldly credit; if it shall happen that such situation be obtained by another utterly unworthy of it."

4. And also "such persons as believe themselves deserving the possession of things which they judge others utterly unworthy of." In such matters, and against such unworthy persons, the former will be indignant.

This is the reason wherefore men of base and servile souls, of disorderly life, and those who are disaffected to honour, are unacquainted with the feeling of indignation: for they see nothing in themselves to induce the belief of their being fit for any considerable station.

By what has been shown, it is not difficult to see at what person's afflictions, misfortunes, or decayed hopes, we might laugh, or, at least, for which we may feel no concern; as the contraries of our preceding remarks will fully establish. If then our discourse be such, as to induce a judge's belief, that those who pretend to the claim of pardon are not only unworthy of it, but that even all they have put forward establishes their desert of punishment, it will be impossible for judgment to be tempered with mercy or commiseration in their case.

CHAP. X.

Of ENVY.

Of the Persons who are envious.

As envy is nothing more than the chagrin and displeasure which a man feels upon seeing his equals apparently enjoy those goods and advantages which we have remarked; and not merely because he is interested in that feeling, but only because he cannot endure that such individuals should be in such a condition; we must conclude,

1. "That those who really have, or who believe that they have, equals in the world, will be for the most part envious." By *equals* I mean persons of similar birth, family, age, profession, reputation, or property."

2. "Those who are near the attainment of all which they can possess, are, in general, envious." Hence it happens, that persons who embark and succeed in great enterprises, are commonly envious: because they imagine every thing to be their due, and that nothing can be given to others without doing them injury.

3. We may likewise hold those liable to bear envy, who perceive themselves every where treated with distinguished honour and respect

for some commendable quality : particularly if it be in consideration of their wisdom, or the extreme prosperity of their fortune."

4. "The ambitious may be included, as being subject to bear envy extremely beyond the unambitious."

5. "The same is to be observed of those who affect to pass for sages;" as this is the centre of their ambition.

6. "That man will be invariably subject to the feeling of envy, with respect to the object of which he is passionately desirous, and whereby he might stamp a value upon himself."

7. "Envy will be the never-failing attendant of meanness and pusillanimity:" for, the mean man sees every object through a microscope.

Of Things which attract Envy.

Upon this head we have given in our preceding part a full detail ; for, in fact, whatever a man wishes to have the glory of excelling in ; those works, enterprises, or achievements, by which he seeks to acquire esteem, and wherein his ambition is centred ; his good fortune, or lucky occurrences ;—all these are the food of envy. But this passion is more remarkable in persons when it applies to things which they ardently desire, to which they lay a proprietary claim, or

of which they have a little more or less than other people.

Of Persons who are Objects of Envy.

In the first place, they are persons to whom one nearly approximates, whether by the circumstances of time, place, age, reputation, and such-like; and hence the old proverb,

“What a parent says, an envious person says.”

In the second place, a man envies those with whom he disputes rank, as they fall under the scope of the preceding observation, as being *near* to us. For instance: no man envies another who has been dead a thousand years, nor those who dwell in the remote parts of the world: such as the Pillars of *Hercules*, &c.; nor those who, in the opinion of other people, or in our own, pass for our superiors or inferiors in an extreme degree. And what has been said of persons applies also to things, wherein either others have a considerable advantage over us, or we over them. Now, as a man never contests rank but with a competitor or a rival, or with persons who aim at and pursue the same objects, it is clear that such people will be particularly envious one of the other. Hence *Hesiod's* saying with regard to the *potters*, already quoted. Those will be the objects of our envy

also, who have obtained, without trouble, that which cost us either considerable difficulty in its attainment, or which we utterly failed in.

That man will, in like manner, excite our envy, who has procured for himself certain advantages, or succeeded in certain things, and which it will be shameful for us not to have done equally, by reason of our proximity or equality with respect to that individual, with whom such matters will be thus held as peculiar; for, as this thing creates vexation within us, so it will infallibly excite our envy. A man likewise bears envy towards another, if the latter possess the same things as he does himself, or if he has obtained them from a person with whom they were more befitting as to condition of life, or if the things so possessed by another, formerly belonged to one's self; and hence the reason why the old are envious of the young. Finally, those will be envied who obtain at little cost what others cannot obtain except at a considerable expense. From what has been said, it may be clearly seen, what things give satisfaction to the envious man, in respect to the persons to whom that satisfaction is evinced, and, finally, the condition of mind induced by the operation of this passion; for, if the envious man is always afflicted, when the contrary of what he wishes to befall another has occurred, he must assuredly triumph when his wishes are in accordance with what has hap-

pened. With respect to this passion, the orator will attempt the same influence upon the judge's mind, as was remarked upon the subject of the foregoing one.

CHAP. XI.

Of EMULATION.

If it be true, "that emulation is a certain unpleasant feeling, induced by perceiving our equals, or those to whom nature has not been so liberal as to ourselves, obtain those advantages which raise them into consideration, and which we might equally have; and this, not because we are anxious that they should possess no such thing, but because we should be glad of possessing it as well;" upon this supposition I build the following conclusion:

"That emulation is an equitable passion, and is not to be met with in any but persons of worth; whereas envy is a malignant passion, engendered by a depraved and evil disposition." The man who is moved by emulation, thinks of nothing but putting himself in a condition to arrive at the same honours which his equals enjoy, with-

but meditating their injury; whereas the envious man's sole study and endeavour is to dispossess, or create a loss of what he envies to the person who is the object of his passion.

Of those Persons who are emulous.

Men who suppose themselves worthy of possessing advantages which they have not, will be inclined to emulation; for the possibility of his acquiring them is supposed, as no man thinks himself deserving of that which it is impossible for him to have. Hence it happens that young people, and persons possessed of magnanimity, are very subject to this passion, as are all those who are in the enjoyment of certain advantages which should be the peculiar due of meritorious and worthy men. Of this description are riches, credit, command, &c. In cases, wherein the possessors believe themselves obliged to become honourable members of society, by reason of such enjoyments being apparently due to no others, emulation is excited for the possession of them. The same might be said of those whom others have adjudged worthy of possessing similar advantages. Finally, all those will evince emulation, whose ancestors, parents, intimates, compatriots, or fellow-citizens, have been held in esteem for any thing they have done. For they regard such circumstances as so much domestic

property, and equally look upon themselves as deserving it.

Of Things which create Emulation.

If those advantages which confer worldly consideration and honour, deserve the feeling of emulation with respect to them, it is, in the first place, necessary, "that all the virtues be of this quality."

Secondly, "Whatever is useful to others, or puts us in a way of doing good, must inspire emulation;" for, the virtuous and the beneficent are particularly honoured.

Finally, "Emulation must be created with respect to every advantage which is not confined in its enjoyment to those to whom it belongs, but even extends to their neighbours;" for instance, riches and also beauty, in a much superior degree to health.

Persons who are Objects of Emulation.

These will be commonly such persons as have equal or similar advantages to those which we have remarked; as valour, wisdom, high rank, &c.; he who possesses the last-mentioned advantage, can render obligations to a great part of the community. We may include in the list of those whom men would emulate, great captains, celebrated orators, and such-like. A person

feels also inclined to emulate that man whom the greater part of the world would wish to resemble, to be honoured with his acquaintance or his friendship; as also persons of distinguished esteem amongst men in general, or with ourselves in particular; those whose names have been celebrated in verse, or who are the ordinary theme of panegyric. For the same reason that we feel emulation with regard to such persons, we feel contempt for such as possess qualities diametrically opposite; for in its nature contempt is the opposite of emulation. Hence, it follows, that whoever is so situated as either to emulate another or be emulated by others, will treat with contempt all those who possess vices, or qualities, contrary to those excellent and distinguishing advantages which inspire emulation. In fact, we every day see people despised whom fortune has loaded with her gifts, merely because there is nothing remarkable in them, of any consideration beyond what fortune has bestowed.

So far as to the means which the persuasive orator should employ in raising or appeasing the storm of the passions.

OF HUMAN MANNERS.

CHAP. XII.

The natural Disposition and Humour of the Young.

We now come to treat of personal disposition, whether with regard to influencing passions or contracted habits, with respect to age or fortune. By the *passions*, I mean anger, concupiscence, and such-like, of which we have just spoken; and by *habits*, I mean those virtues and vices which we have remarked in that place where we have shown "all those things to which each man in particular, is determined, and which he does with most will and inclination."

The different *ages* of life are three—youth, manhood, and old age. Under the term of *fortune* I comprehend birth, large possessions, authority, &c. with the opposites of each; in a word, good and bad fortune.

Young people are commonly addicted to pleasure and sensualities, finding no difficulty, when the satisfaction of their passions or inordinate concupiscence is in question. But of all the pleasures which they seek, there is none to which they are more addicted than to sensual pleasures, which

so far subjugate their minds as to create excessive enjoyments. Added to this, they are so extremely fickle, as even to be tired of those things which they have most ardently desired : the reason is, that their wishes are, for the most part, rather acute and pressing, than of real importance or duration ; so that they perfectly resemble the thirst of a peevish patient. Young persons are likewise very subject to the passion of anger, in which it is generally to be apprehended, if they follow its horrid dictates, that their indulgence will be boundless. Their easy subjection to this passion arises from their eager attachment to honour, which prevents them from enduring the least contempt. Wherever they apprehend being in the least offended, they immediately manifest their resentment. But not only are they enamoured of honour, but still more passionately of triumph ; for, youth is so far peculiar, that it revels in self-excellence and superiority.

So far, persons in the youthful state of life are praiseworthy, that they prefer honour or victory to the enjoyment of wealth ; and in fact, so little are they affected by pecuniary motives, that they almost disregard money, never having experienced any peculiar necessity in that way, as may be seen in the apothegm of *Pittacus* against *Amphiaraus*.

Another good quality of young people is, that they are not malicious, but frank and simple, in-

asmuch as they have not had experience in the wicked ways of life. They are also very credulous, because they are unacquainted with deception. Their hopes, in like manner, are built upon the most airy foundations, as, by reason of their warm blood, nature produces the same effect upon them, as wine upon an intoxicated man; and also because, if they have been disappointed, they have not the practical benefit of being frequently so. A young person lives almost his entire time in hope, because, as hope regards what is to come, and memory what has passed, when they look through the medium of the one, they find an extended prospect before them; whereas their term of life seems very short, if viewed through a recollection of the past. Hence they build all their hopes and self-promises upon futurity, while they hold the past as nought, and in as little recollection as if it were, in a manner, the commencement of their existence. This is the source of the numerous deceptions which are practised upon youth, as it is easy to amuse them with illusive hopes. Young people are also valiant-hearted—a quality to which they are excited, not only by that anger to which they are subject, but also by a facility of hoping and believing, that they will be successful in every thing. For, on one side, anger banishes fear; and on the other, hope gives assurance to the mind, which is all that is necessary for the possession of a bold spirit.

Young persons are liable to the passion of shame ; for, as their ideas of honour and of what is commendable, are bounded only by what they have learned from ordinary education and habit, their judgments are formed only upon that criterion. The season of youth is also remarkable for generosity and magnanimity, being as yet removed from that humiliation which results from the misfortunes of life, and the knowledge of necessity ; besides which, magnanimity consists in esteeming one's self capable of performing great things, which is peculiar to those who believe that they ought to hope for every thing ; a peculiarity, as we have shown above, perfectly natural to youth.

Youth is generally commendable for preferring honour to advantage ; which a young person does, because he lives more after the dictates of custom, than those of reason : the latter has utility for its object ; whereas virtue, upon which custom is founded, takes what is honourable for its scope. In youth, more than at any other period, one cherishes friends and acquaintances ; which arises from the peculiar sociality of this season, as also from its rejecting the considerations of self-interest, which is by no means a standard with young persons in the choice of a friend.

The faults to which young people are liable, are, notwithstanding the precept of *Chilo*, much grosser than those of others ; for in every thing

which they do there is an excess, as well in their attachments as in their aversions. A young person's presumption is so great, that he believes he knows every thing, and there is nothing which he will not assert as truth; this is, consequently, an excess. When young people offend, it is always more with an intention of affronting than of doing an injury. They are so far to be pitied, that they entertain a better opinion of the world than they ought, for, they imagine every other person as little depraved as themselves; so that when they see a man suffering, they are commonly disposed to believe that he does not deserve it. Finally, young people are good-humoured, and fond of laughter; whence it happens that they are also addicted to raillery, which is nothing more than a certain pretty manner of saying vexatious things without offending against decorum.

CHAP. XIII.

Of the Disposition of the Old.

As to old persons, and such as have lost their wonted vigour, their manners are particularly opposite to those of the young. For, having

lived a long time, and having been frequently deceived, as well as mistaken, in things wherein they supposed they should better succeed than in others; in a word, since most things which they do turn out disadvantageous, they are so difficult in confidence, that they find fault with every thing.

The usual language of the old is, " I think," as though they knew nothing for certain; and, " We must see," or, " It may turn out well;" because they are irresolute in every thing wherein they are concerned. Through an apprehension of involving themselves in false assurances, they are cautious of more extended expressions. Old people are also malignant, because they constantly take things in bad part, and judge ill of every thing. They are likewise suspicious, on account of their great mistrust, and they are mistrustful, because they are experienced. What they love they do not love to excess; and for the same reason, in conformity with the precept of *Bias*, whomsoever they hate, they do not much detest; as if the object of their hatred were one day to become that of their affection, and *vice versa*. Old people are likewise mean and degenerate, on account of having been frequently humbled and debased by the calamities of life. Their wishes do not extend to what is great or superfluous, and are bounded by necessities alone, and such things as they cannot trespass in. They

are also illiberal and avaricious, because property being a necessary of life, they know from experience, how difficult it is to procure, and how easy to lose it. The old are, in like manner, so timid, as to be apprehensive of every thing; in which respect their temperament is quite opposite to that of youth, which is warm in the extreme, while that of the aged is freezingly cold. Old age may be called the usher of fear into the world, as that passion is nothing more than a chilled temperament.

Old people are strongly attached to life, particularly when they approach its close; and this, because it is the nature of desire to incite towards things which are absent, or not in our possession; and it is matter of common observation, that the more abridged or necessitous we are in any thing, the more we covet its possession. They have also this defect, that they incessantly complain, even more than they have reason for, which denotes a mean spirit. In whatever they do, they consult nothing so much as their interest; and with respect to honour, their peculiarity of self-love prevents them from being much troubled concerning it. Between what is honourable and what is useful, this difference may be observed; that the former is an absolute good, whereas the latter is merely a good to the individual agent.

Old people too are liable to a deficiency in shame, for, as they commonly attend much more to pro-

fit than to honour, they set little value upon public opinion, provided their affairs thrive. It is difficult to make them hope for any thing, on account of their experience, for they know that most things being bad, imagination of success outstrips the reality: this comes in proof of their timidity. They live more on memory than on hope, because the remnant of their lives is inconsiderable, when compared with what has passed: this is the reason why old age is so loquacious; for so great is the pleasure of their recollections, that they never cease talking of whatever they have formerly seen or done. With respect to their anger, it is pointed and sharp, but never strong; and as to their other passions, one half has already forsaken them, and the remaining half is debilitated.

The old are not to be considered as people who desire, or trouble themselves about the pleasures of life: but as attached to, and wholly swallowed up in, their passion for gain. Deceptive judgments are often formed with respect to an aged person, with whom the insensibility to which impotence has reduced him, passes for a virtuous temperance. Old men invariably become the devoted slaves of money, when they lose those violent desires by which they were oppressed in their youth. They diverge from custom and the ordinary habits of acting, doing nothing except in conformity with their particu-

lar maxims and modes of reasoning which are fettered by interest or utility ; whereas custom, which predominates with youth, is not far from virtue. When an old man offends, it is rather with the design of maliciously injuring another, than of offering a bravado or an affront. In one respect they are to be pitied, but on quite a different ground from youth, for the latter always give way to the feeling of compassion, from real humanity, and a good natural disposition ; whereas the old never do so but through weakness ; which prevails in them to such a degree, that they never see another man's misfortune without imagining themselves on the eve of experiencing a similar one ; which, as before observed, is a principal motive to compassion. Hence also their continual complaints, ill-humour, and aversion to mirth ; for, nothing is so contrary to a mirthful and joyous disposition, as eternal crabbedness and complaint.

Now, as old men are so constituted that they listen to, and are persuaded by those who appear, from what they say, to possess similar dispositions or sentiments with themselves, it is easy to perceive what address must be employed in infusing that characteristic into our discourse.

Of the Manners of a grown Man.

A man just arrived at perfect maturity, neither confides too much in himself, which would be

audacity, the vice of young persons; nor does he entertain that too great self-apprehension which is peculiar to the old. His course is a medium between both, under the guidance of worldly propriety. He will not indifferently believe all descriptions of persons, nor will he mistrust the whole world; but will rather examine every thing virtually, and decide according to the truth. He will not pique himself so much upon honour, as to neglect his own interest, but will attend to both in an equal degree. He has this good quality, that on the one side he will not incline to avarice, nor on the other to extravagance, but will do things with a propriety adapted to his condition. He will be equally attentive in imposing restraints upon his anger and his desires; a moderation in which is so reasonable, that it does not induce any deficiency in the duties of a spirited man; and his courage will be conducted in such a manner, as to insure praise for its moderation. Now those qualities are separate in the two other stages of life; for, if the young man be valiant, he is also more frequently debauched and led astray by his passions: and if the old man be temperate, he is faint-hearted and timid.

The man of mature vigour combines the good qualities of youth and age, and corrects the excesses in the one, as he does the deficiencies in the other; so as to produce a mean of action which will secure commendation. It may be

observed, that full *bodily* vigour commences from the age of thirty to thirty-five years. As to the mind, it continues in force to the age of forty-nine years, or thereabouts.

CHAP. XV.

Of the Disposition of Nobles.

We are now to speak of those advantages of fortune which give rise to a change in the dispositions of men; and shall commence with *nobility*. This rank renders those who hold it in society much more ambitious than other men; for mankind are so constituted as to desire an augmentation of whatever they may already possess; and as nobility is a certain honour derived from ancestry, it is not to be wondered that nobles should seek to be even greater than they are.

This rank possesses the bad quality of inclining those who hold it, towards a contempt for others, especially those who derive either title or office from their fathers, or who are esteemed for similar considerations. For, as the duration of such distinctions in a house is more honourable than if they were newly created, so they lead the possessors to plume themselves the higher upon them.

There is a wide difference between a man who is *simply noble*, and one who has *not degenerated*: the former owes every thing to birth, and the virtue of ancestry; but the latter is far more considerable of himself, in not having deviated from the virtuous path of his progenitors, and in maintaining their lustre by his own personal excellencies. This latter character is not very frequent among those who pique themselves most upon their nobility; in whom, for the most part, there is nothing elevated or worthy of homage, to be remarked.

Great men in general are unfortunate in not always giving to the world, successors who resemble them, as it does not invariably happen that the best lands produce the most excellent fruits. When a lineage is good, it for some time commonly produces persons of rare and distinguished merit; after which it degenerates into a contrary produce. Thus we see people of the most exalted minds, and finest understandings, after a certain time giving to the world a succession of either fools or madmen, witness the children of *Alcibiades* and those of the elder *Dionysius* of *Syracuse*; the posterity of *Cimon*, of *Pericles*, and of *Socrates*.

CHAP. XVI.

Of the Disposition of the Rich.

These are, in the first place, insolent and haughtiness, on account of their great possessions, which they consider as the boundary of their wishes, and entitling them to set up for extraordinary consideration; for, as riches seem to comprise within them the price of all other things, they suppose that there is nothing which their money will not purchase.

The wealthy are attached to luxurious and delicate living, and are so insufferably vain as to be ever talking of what they either have, or are to have. They love delicacies on account of the luxury in which they live, as well as to show that they can indulge in whatever expenditure of maintenance they please. They are full of arrogance and ostentation, because they are accustomed to attach themselves to those things they love, and which are alone esteemed by them; for they suppose every one else to be of the same disposition, with respect to an ardent attachment for the same things. This in fact they have some reason to believe, since there are so many people to be found who are every day obliged to solicit the rich. Hence arose what has been said by *Simonides* with regard to the rich

and the learned; for when King *Hiero's* wife asked of him, "Which of the two he thought most desirable, riches or learning?" he replied, "Riches; because we every day see," said the philosopher, "none but learned men waiting in the portals of the rich." That this description of men are arrogant, is proved by their commonly imagining that no one is more worthy of praise than themselves; because they possess that which bestows the quality of being worthy to command others.

In fine, to give a faithful portrait of a rich man, figure to yourself a fool at his ease, with all his wishes satisfied. The manners of those who are newly enriched, are more subject to great blemishes and general defects than are those of persons who have long been wealthy. To say, that a man is newly rich, is as if one were to say that he knew not yet the use of his money. It rarely happens that the rich man offends maliciously; he rather affronts from caprice, sensuality, or insolence; for instance, he may order one man to be soundly flogged, or he may lie with another's wife.

CHAP. XVII.

Of the Disposition of great Personages.

It is no difficult matter to develop the manners which are peculiar accompaniments of power, since they are partly the same as we have attributed to riches, with this exception, that power has other qualities much superior. Persons of authority and high office are more attached to honour, and display, in their manners, something greater and more noble than the rich; for, as they know their capability of doing great things, they form no designs which are not proportionate to their power. We do not so frequently observe the great men of a state living in that indolence which characterizes the rich, as being obliged to attend the discharge of their high functions, for the support and preservation of their credit. Their mode of converse is not perplexing, but rather inclined to familiarity; they act with a certain air, which is more majestic than proud or haughty: for they display modesty with a good grace, inasmuch as they know that they are elevated far above other people. Their manner of acting is nothing more than a certain gravity which befits them personally, and borders not on affectation. There must be, however, great caution observed

in offending the great ; for, when they disoblige, it is not in trifles, but in matters of importance.

Let us now see what is

The Disposition of Persons in high Prosperity.

With respect to this happy state, wherein Fortune, it seems, has taken pleasure to give every thing within her power, the manners which accompany it, are the same with those which we have already remarked, particularly in regard to nobility, riches, and power ; since these three advantages apparently comprise the most important gifts of Fortune ; there being nothing more in her power to add, if it be not a happy and flourishing lineage, together with whatever seems to embellish or content the body. People of this condition are generally insatiable of glory ; and extremely inconsiderate, like persons who trust every thing to fortune. One good quality, however, they possess, which is, in some manner, their attachment to, and reverence of, the gods, which they consider to be their duty, on account of the great blessings which they have received from them, through the liberality of fortune.

So far for the manners by which the distinctions of age and fortune are characterized ; of some shades, such as the poor and the extremely miserable, we have omitted to speak, because an argument on those points will be established by the reverse of the observations which have been made.

*Other PLACES, and Proofs, which are common
to the THREE KINDS of RHETORIC.*

CHAP. XVIII.

*A summary Recapitulation upon the Necessity of those
Places hitherto established.*

Every discourse which is delivered with a view to persuasion, is of no other use, and has no other end, than to incite the hearer to offer his judgment upon the subject matter which is laid down for it. For, any thing, with which we are well acquainted, or which has passed our judgment, has no need of being urged in persuasion, or spoken of. This it is easy to prove, by each of the three divisions of rhetoric, as well as by fact. In *deliberation*, the hearer is not only a judge in matters of importance, which are *publicly* treated of, but even in every particular case and instance; whether a person in his conversation with another, persuades him to do a certain thing, or dissuades him in any respect, as is the case with whoever remonstrates with or exhorts another to apply himself to some action. It must not be imagined, that having merely to do with an individual, will detract from

his quality of judge; since, in fact, every man whom another persuades, is always the judge of that which is the subject of persuasion.

The same observation applies to judiciary rhetoric, whether the subject be a defence against a party personally, or whether it be the investigation of something which has been invented, because in the latter case it is not less necessary to establish our own opinions well in refutation of contrary reasoning, than it is in the former. Finally, this remark is equally applicable to *demonstrative rhetoric*, and to discourses which are delivered, either upon the subject of eulogy or censure; for, though here the auditor has no interest in what he listens to, merely for his gratification, the nature of the discourse which he hears, is such, that the orator seems to address him as he would a judge. Respecting the hearer, we may however assert, that, properly speaking, no man is a judge unless he who is acquainted with the civil matters which are disputed, and on which he has to decide: for, it is only in courts of justice, and great deliberative assemblies, that things are closely examined, and the truth is investigated. In these two cases, and more particularly in deliberative matters, it is highly important for the orator to pass as a man of honour and propriety; and since he could not accomplish this without making his manners conform to those of the state wherein he speaks, for that reason,

when speaking of deliberative rhetoric, I have treated of those manners which are peculiar to, and proper for each description of states ; so that I do not hesitate as to the clearness of the method or means which the speaker should employ in impressing a favourable opinion of himself, and adapting his manners to the auditory which he addresses.

Besides, as each of the three kinds has a separate end and object ; and as particular *places* have been given, wherein may be found all the propositions and opinions which orators apply or make use of in proof, whether of forensic plea, eulogy, or matter deliberated ; in fine, as whatever regards personal manners, and the address of displaying them in one's discourse, has been fully explained ; nothing further remains than to speak of the matter, and of the *places* which are common to all the kinds of rhetoric.

Place of POSSIBILITY.

With respect to the first *place* or *topic* which concerns an inquiry into what is possible or otherwise, we may be assured that the orator will be at a loss for proofs : some, for instance barristers, having a continual necessity for showing whether certain things have happened or been done ; others, as debaters, having to demonstrate that a thing will be done, or will infallibly happen.

Place of MORE and LESS.

With regard to the second *place*, which inquires into the magnitude or unimportance of any thing, I take it for granted, that it is a matter neither less common nor less necessary to each kind of rhetoric than the foregoing. Every orator, whether his subject be persuasion or dissuasion, accusation or defence, encomium or censure, always uses amplification, sometimes in making a thing appear greater, and at other times less than it really is. After these matters are explained, we will descant on *enthymems in common*, and on *examples*, that we may discharge what we have promised, and complete the design, with which we first set out. As to the two *common places*, of which we have just spoken, amplification, it is to be observed, more necessarily applies to demonstrative rhetoric, as has already been shown. The *place of possibility* is divided into two parts, and embraces two divisions of time, the past and the future.

The first part which furnishes proofs whether a thing has passed or not, properly applies to the judiciary rhetorician's province; and the other, which assigns conjectures upon the future, and goes to investigate whether a thing will or will not happen, is peculiarly useful, and appropriate to the deliberative branch of the art.

CHAP. XIX.

Places, whereby to know whether a Thing is possible or impossible.

To prove the possibility of any thing, a person may reason thus :

1. " That of two contraries, if one be, or can be done, the other will have an equal claim to possibility." For instance, if a man has been able to recover his health, he has been equally enabled to lose it. Such is the nature of contraries, that, even in their peculiar quality as such, any subject which has the power of admitting one will always be empowered to admit the other.

2. " That of two things which are similar, if one be possible, the other will be the same."

3. " If that which is more difficult can be done, that which is more easy can also be achieved."

4. " If a person can do a thing very well or very beautifully, he can equally do it in a simple manner;" for, it is easier to build a plain house, than an elegant mansion.

5. " If the beginning of any thing can be done, so can the end;" because, what is perfectly impossible cannot ever have either existence or a

beginning; for instance, if one would find for the diameter of a square, a measure which should be common to it with the sides of the same square, he would seek what never has been nor ever will be.

6. "If the end of any thing can be accomplished, so can the beginning;" because nothing in this world is done without beginning somewhere.

7. "If one thing, which, in the order of being or generation, is posterior to another, can be done, so can that which is prior;" for instance, "If a man can have existence, so can a child;" because we must pass through the stage of infancy, in order to arrive at that of manhood. And reciprocally, "If a child can exist, so can a man;" for, infancy is the first means whereby we reach the age of maturity.

8. "Whatever we naturally love, and desire to possess, is possible;" for, in general, no one either loves or desires an impossibility.

9. "Whatever serves as an object to any art or science, can exist or be done."

10. "A thing may be done in regard to us, if the persons possessing the address and power requisite for doing it, be such, as we can force, or at least engage to do so, by our persuasion." In order to our being so circumstanced, we must either have advantage over them in point of mind, or they must be our dependents or friends.

11. "If a thing can be done in its parts, it

can also in its total, and vice versâ." For, the person who can make the upper leather, quarter, and sole of a shoe, can make a pair of shoes; and he who can make a pair of shoes, can make the parts of it.

12. " If a kind of any thing can be done, so can its species, and vice versâ;" for, if a man can build a ship, he can build a galley, and he who can build a galley, can build a ship.

13. " Of two things which are relative, and mutually regarding each other, if one can be done, so can the other;" for instance, if the double of any thing may be performed, so may the half, and vice versâ.

14. " Whatever can be done without preparation or art, can, *à fortiori*, be done, when great care and art have been expended upon it." Hence *Agatho* has said,

" From chance what numerous consequences spring!
But art alone presides in every needful thing."

15. " If a thing can be done by persons either far inferior, or who possess neither skill nor judgment in comparison with others; with much stronger reason, will it be done by those who are remarkable for the contrary qualities." It was in this sense that *Isocrates* said, " It would be very strange if such a man as *Euthymus* could learn any thing, which he himself was not capable of inventing."

In order to prove impossibilities, we must make use of positions the reverse of the foregoing. We now come to those *places* which lead us

How to know whether a Thing has or has not been done.

In respect to the knowledge of past occurrences, a man may thus reason :

1. " That if a thing, which is not of such natural facility as another, has been capable of being done; the one of greater facility will, without doubt, be equally so,"

2. " If that which has been used to be done only posterior to another, has been done; whatever is usually done prior to another, will also be capable of accomplishment." For instance, it is correct to say, that whoever has forgotten a thing which he knew, has formerly learned it.

3. " If a man has wished to do any thing, and he has been able to do it, he has unquestionably done it;" for, there is no prevention to his action, when the will and ability concur,

4. " The same may be said with respect to a man who has wished to do a thing when nothing external has prevented him."

5. " As also, if, being able to do it, he has put himself in a passion upon that account,"

6. "And equally, if he has desired, and been afterwards able to do it." For, most commonly, men are borne to those things which they desire, if they be enabled to attain them; the vicious being led away by their passions, and the virtuous by the pleasure and content which they derive from doing good.

7. "We may also advance, that a thing has been done, if every proper disposition has been made for that purpose, and any person has been perfectly prepared to do it;" for, there is a probability that the man who makes preparations for doing a thing, will not recede from his intention.

8. "We may make the same assertion respecting every thing else, if that, which, from its nature, ought to precede it, or be a cause of it, has been done." For example, if there has been lightning, we may say there has been thunder; and if a man has been compelled to do a thing, it has been assuredly done.

9. "By contraries, it may be asserted, that if things, which ought not to be but posterior to, or as the usual consequences of others, have been done, that which is a precedent or a cause will equally be so;" for example: if there has been thunder, it may be said that there has been lightning; and, if a man has done any thing, we may assert, that he has not done it without

having previously undergone some trouble, or done his utmost in accomplishing it.

With respect to the quality of those propositions which I have adduced, some of them prove by necessity, and others merely by probability.

The contraries of these last *places* will establish proofs of a thing not having been done. Our next object is,

To know when a Thing will happen.

Upon the subject of futurity, the conjectures which may be drawn, are founded upon the propositions which have been just recited.

1. "If a man has the will and ability to do any thing, he will assuredly do it."

2. "His action will be equally certain, if he desire it; and the motives which incite him be anger, conjointly with his power or his interest."

3. "We may calculate, that every thing on the point of being done, or which is going forward, will certainly be done;" because, commonly, the things which are so conditioned, are done rather than those which are not so: as the one has more the appearance of what will happen than the other.

4. "The same may be said of whatever has not been used to be done, except in posterior order, to certain things, if that which is usually

prior, already exists." For instance: if the weather be cloudy, it will most probably rain.

5. "If a thing, which never is done but because of another, be done, apparently, that for which it is done, will be so in like manner." For example; if the foundation of a house has been laid, the house itself will not be a long time in erecting. Let us now turn to

The common Place of More or Less.

As to what concerns the *greatness* or *littleness* of a thing, sufficient has been already said; for, in the deliberative part, we have assigned places whereby a judgment may be formed not only of the importance of any good whatever, but also of those which, in comparison with others, ought to be rejected as inferior, or preferred as superior. On this account, and as each of the rhetorical divisions has for its end some certain good; for instance, either *utility*, *justice*, or *propriety*; it is clear that, whatever subject is to be treated, and which requires the use of amplification, no other positions need be consulted than those already given. Whoever would go beyond them, and pretend to outdo what has been said upon greatness in general, as well as whatever can render one good superior in advantage to another, would assume useless airs, and give himself unnecessary trouble.

In common usage, it is much better to adhere to one's subject, and be restrained by particulars, than to run into general matter.

CHAP. XX.

Of EXAMPLE.

We have hitherto spoken of those proofs which are separately appropriate to each of the rhetorical divisions; let us now speak of such as are common to the three together. Of these *general proofs* there are two, *enthymem* and *example*; for, a *sentence*, which is but part of an *enthymem*, cannot be ranked among the proofs. And, first, we shall speak of *example*, which is similar to *induction*: indeed, the latter is the commencement of the former.

Example is of two kinds. The first is, when a person alleges in proof, things which have really happened; the second is, when we have recourse to fiction and invention. Of the latter there are again two species: the one called *parable*, and the other *fable*: such as *Æsop's*, and the *African Fables*. I shall give

as nearly as possible an insight into the necessary construction of a true example, by supposing, that some one had to prove to the *Greeks*, "That it would be their interest to oppose the designs of the *Persian King*, and to prevent his becoming master of *Egypt*."

In the first place, he should state, "that *Darius* entertained no views upon *Greece* until he had previously subjugated *Egypt*; and, that, so soon as the latter country was in his possession, he immediately turned his arms against the *Greeks*." He might equally aver, "that *Xerxes* attempted no enterprise against *Greece*, until he became master of *Egypt*, which when he did, he marched a powerful army into *Greece*;" and the orator should thus conclude: "So that, it cannot be doubted, that if the *Persian* can once accomplish his design, he will do as the two former monarchs did; and, for this reason, countrymen, ye should not permit him to possess *Egypt*."

Of PARABLE.

This is a manner of proving things very commonly used by *Socrates*. It may be instanced thus: If a person had to show, "that the magistrates should not be appointed by lot," he would say, "It is the same as if a man engaged in conducting a wrestling-match, instead of choosing the most expert, should put the

matter to the drawing of lots, and take the first who came." Or he would say, "that it was the same as if the master of a ship, standing in need of a pilot, and wishing to procure one, should make all his sailors cast lots for the situation, instead of selecting from the crew the most skilful and experienced mariner."

Of FABLE.

Of this we may judge by a similar production of *Stesichorus* against *Phalaris*, or of *Æsop's* for the magistrate. The fable of *Stesichorus* is this: The philosopher, perceiving that the *Himerians* had not only elected *Phalaris* their general with full powers, but that they were also prepared to give him body-guards, after having remonstrated with them on the fault which they committed, spoke as follows:

"The horse formerly had an entire meadow to himself. A stag having one day entered it, and trampled the hay, the former went in quest of man, and proposed to him, if there were no other means, that both should unite in making the stag repent of what he had done. The man consented, provided the horse would endure the bit, and permit him to mount upon him, furnished with a bow and arrows. With this the horse complied; and it happened, that, instead of the stag being punished, the

horse perceived himself in complete subjection, and has ever since been forced to perform services for man. HIMERIANS!" said *Stesichorus*, "be careful that, in wishing to take vengeance on your enemies, it does not happen to you as it did to the horse. You have already taken the bit, in having elected a general with full power; but if to that you add body-guards, and permit him to mount you, be assured that you have seen the last day of your liberty, and that you must acknowledge *Phalaris* as your master."

In like manner, *Æsop*, being employed at *Samos* upon the defence of one of the chief magistrates in that island, whom the people were going to condemn to death for extortion, made use of the following fable:

"A fox, once, in crossing a river, fell into a pit, whence not being able to extricate himself, he remained there a considerable time in great suffering, on account of some troublesome flies which had fastened on him, and were stinging him on all sides. A hedgehog was passing that way, and perceiving him in this condition, was much affected, and asked of him whether he should drive away the flies which incommoded him. The fox thanked him for his kind intentions, but requested him not to meddle with them. The hedgehog, in amazement, wished to know the reason. 'Because,' said the fox, 'these flies are

‘ already satiated, and are no longer annoying to
‘ me ; but if you drive them away, other hungry
‘ ones will succeed them, and suck up the little
‘ blood which I have left.’ People of *Samos*,”
added *Æsop*, “ what I have said of the fox may
this day be said of you. The man whom you wish
to condemn, guilty though he is, is at present so
situated that he can do you no further injury ;
because he is rich, and full of possessions ; but,
if you put him to death, others will come in
his place, who will be poor, and who, to enrich
themselves, will, by their robberies, exhaust
your entire treasury.”

Use of the FABLE and of EXAMPLE.

The occasion wherein fables are more in point,
and employed with the greatest success, is in
popular addresses, and in debates, upon great
questions. They have this advantage over ex-
ample, that it is difficult to find in history cir-
cumstances perfectly relevant to what we would
wish to prove, whereas a fable is easily invented ;
and in order to this, nothing more is neces-
sary than to draw a parable, which any man
may do, who knows in what resemblance con-
sists, a thing by no means difficult to the least
proficient in philosophy.

Example, however, surpasses fable in this

respect, that its proofs, which are founded upon the truth of history, and the decided allegation of events, are of much greater effect in deliberation and more appropriate to persuasive oratory. This happens on account of the great resemblance between all occurrences, inasmuch as it may be said, that the past is commonly a presage of the future, and that nothing almost is done now-a-days, which was not formerly done.

With respect to the use of examples, it is to be observed, that if we have no enthymems but merely examples in proof, we must use the latter instead of the former, and give them a value as if they were so many demonstrative and convincing proofs. But if we have enthymems, examples must give way to their use, and only be applied, as simple testimonies, in order to confirm what has been previously established.

If an orator prefer example to enthymem, he incurs this misfortune, that his argument seems to be an *indication* which he should studiously avoid, inasmuch as induction is not appropriate to, and can but rarely be employed in, rhetoric. If example, however, be postponed to enthymem, and be merely used as testimony, no inconvenience will arise; and it will be so far useful as testimony is a description of proof universally admitted. Besides, if the preference were given to examples, the orator would be obliged to collect a number of them; whereas,

if it be postponed, a single one will suffice. For, testimony is so far important, that, if it proceed from a credible source, one single item is of no mean authority.

CHAP. XXI.

Of SENTENCES.

"A sentence," properly speaking, means "a certain manner of saying things affirmatively, and in form of truths;" not in particulars, such as in making known what kind of a man *Iphicrates* is: but generally; and also distinctively; for, it must not be understood as extending to all descriptions of subjects, as for instance, "that whatever is straight is the opposite of what is crooked;" but merely to things which regard the actions of human life, and which men, in all their designs, purpose either to follow or to avoid. Now, since almost every enthymem is a kind of syllogism, applicable to such matters, it follows, that all the conclusions of enthymems, and all the propositions which serve as their foundation, the syllogistic form being excluded, will be so many sentences. For instance, if a person should say,

"The man whom reason guides, and children bless,
Should square their learning by their happiness;"

EURIPID. in *Medea*.

This is, without doubt, a pure sentence; but if the reason be added, and if it be shown why such a thing ought to be done, then the whole, taken together, will be an enthymem; for example,

“ For, added to the indolence of life *,
Is worldly envy, and perpetual strife.”

EURIPID. in *Medea*.

The same may be said of the following verse :

“ No man has ever known pure happiness.”

EURIPID. in *Heruba*.

And

“ In his condition I call no man free.”—*Ibid*.

In stopping at these affirmations, we make a sentence, but in adding the sequel, we make an enthymem. For example :

“ Each to his ruling passion's sway is sold,
The slave of fortune, or seductive gold.”

There are *many kinds of sentences*, of which, if they accord with the definition we have given, it follows that there are four ; since there are some which a man could not allege without assigning proofs or reasons, and others which are alleged singly, without any addition.

* Perhaps Walter Scott borrowed the following distich in his *Marmion*, from the above passage of *Euripides* :

“ Thanks to St. Gothan, son of mine,
Savé Gawin, never penn'd a line.”

Every sentence which is paradoxical in its nature, that is to say, which advances any doctrine contrary to public opinion, and which a man may revoke in doubt, must necessarily be assisted by proofs and reasoning. As to those sentences which are in conformity with the opinions of the world, they stand perfectly secure upon simple allegation. These latter are, however, different in two respects, as to their dispensing with proofs, either, first, because they advance things of which the hearer was previously persuaded, or which he knew before; as if a man should say, "The greatest advantage to be derived in life, arises out of a propriety in self-conduct and the possession of health;" for, there are few people to whom this sentence will not immediately convey an apparent truism; or, secondly, they need no proof, because they are so clear as to require the hearer's attention alone while they are delivered, in order to secure his concurrence; for instance, the following: "The importance of love does not consist in its fervour, but in its duration." Those sentences which cannot be alleged without a reason, are also of different descriptions; as there are some which form parts of enthymems; for instance,

"The man whom reason guides, &c."

There are others again, which, though they make no part of an enthymem, are equally as

valid as one: this kind of sentence is the most to be esteemed, because it contains in itself the reason of what it advances; for instance,

“ *Mortal!* preserve not an *immortal* hate!”

For, to say simply, that “a man should not always continue his anger,” is a mere sentence, whereas the antithesis between the word *mortal* and its opposite, gives an augmentation to the sense, and demonstrates wherefore the passion should not be indulged to continuity. Here is a similar assertion: “The man who is subject to death, should not aspire to immortality, nor carry his thoughts to things which are completely beyond his attainment.”

Paradoxical sentences may be constructed, either by prefixing the reason, and making use of the allegation after it, in form of conclusion; or vice versa. For instance, the following or its converse; “As for my part, since I know that we ought never to expose ourselves to envy, or lead a slothful life; for that reason I maintain, that the sciences should be abandoned, and that no one should meddle with them.”

Sentences which are neither extraordinary nor paradoxical, but which have the defect of not being sufficiently clear, must equally be alleged with the combination of reasons, in doing which, a certain skill and adroitness of manner must be observed. For this reason, I would recommend

an imitation of the *Lacedemonian* manner of saying things; or the use of covert and enigmatical terms, nearly such as *Stesichorus* made use of, in order to prevent the *Locrians* from injuring their neighbours. The following was the manner of his entreaty: "Gentlemen," said he, "you should neither act so abandoned a part, nor commit an attack upon others; for fear that in the end the grasshoppers may be forced to chirp off the bare ground §."

The Use of Sentences.

It is not to be imagined that the whole world are indiscriminately free to make use of those, as they are solely pertinent to the aged, and even to them only in matters wherein they are acquainted, or wherein they are experienced. In fact, nothing is so indecorous as to hear a young man, or any person upon whom age has not stamped its character of authority, delivering himself in a sententious manner, or making application of fables. For, it is equally silly as it is impertinent to adduce such things upon matters wherein a person is completely raw and inexperienced. This may be particularly remarked

§ The meaning is this; for fear, that, if you enter into a war, and be discomfited, your country should be so ravaged, that not a blade of grass shall be left standing even for the cover of those little insects.

in rustics, who of all others are the greatest manufacturers and retailers of sentences upon every occasion. Secondly, we are to observe, with respect to a sentence, that particular things should never be delivered in general terms, except in subjects of complaint, or in the exaggeration of a crime, where they must be used either at first, or after the thing shall have been proved. Another circumstance to be attended to respecting sentences is, that the most trivial and common ones may be used, provided they be of utility or application to the subject. The very circumstance of their being common will ensure them a better reception, as they will be taken for truths which are approved of by the world. For example, a captain, who should have to attack an enemy, without having previously consulted auguries, or offered sacrifices, might allege the following verse which is so common :

“ Defence of country is the best portent.”

HOMER'S *Iliad*, xii.

Or, if another leader had to contend against an enemy more powerful and more numerous than his own party, in order to inspirit his soldiers he might assure them, that “ The chance of war is uncertain.” In the same manner, if a man designed to slay the children of his enemies, however innocent of wrong they may be, in order to find a pretext for his cruelty, he might call in

the aid of the following line, which has become proverbial ;

——“ He is a fool

Who kills the father, and yet spares the child.”

Besides these different sorts of sentences, there are certain proverbs which are truly sententious, and which may be used in that quality. As for example, if a man should cite upon the occasion of evil neighbours, the proverb of “ The Athenian neighbourhood *,”

Not only may the most trivial and common sentences be made use of, but it is also frequently permissible to contradict them by alleging their contraries. Care, however, must be taken not to do this designedly, as it should never take place except through passion ; or when a man would wish to appear honourable by adducing sentiments superior to those of others. By proverbial sentences, I mean such as the following :

“ Know thyself.” — “ Too much of nothing,” &c.

Now, as an example of what may be said in refutation of these, under the influence of passion, a man in that state might say, with respect to the former of the proverbs quoted, “ That it is absolutely false to believe in the necessity of knowing one’s self ; for if it were necessary, and that

* Because the *Athenians* dispossessed the people of *Samos* of their island.

such a person," pointing to a particular man, "were well known, he never would have had the impudence to demand the conduct of that army which he at present commands." Respecting the impression of a good opinion of one's self upon others, and making a show of superior sentiments to those which are common, an instance may be given in the following counter-assertion to what generally obtains upon the head of friendship; "That it is necessary to love an object as if we were one day to hate it." And it might be added, "that for stronger reasons we should hate in such a manner as if we were one day to love." In these cases, however, great care must be taken with regard to the expression, so as to make it appear that what we say is heart-felt, and the effect of self-persuasion; for, otherwise, we should be obliged to cite reasons wherefore. For instance, in this manner: "Yes, Sirs, I must confess that a man should be open to the feeling of love, not however in such wise, as is commonly said, i. e. *as if some day or other he were to hate the object*; but rather, as if he were to love forever; for, an affection of any other kind, is traitorous and not real." Or, again, this might be said: "For my part, I cannot approve what is commonly said respecting friendship, *that a man should love as if he were one day to hate his friend*; for, so far from this being necessary, I maintain on the contrary, that one real friend should love

another, with the same tenderness as if their friendship were to subsist through eternity. The second quoted proverb may be impugned thus : " So far from its being certain that we ought to overdo nothing, and that excess is in every thing to be condemned, I contend, that no man can entertain too great a hatred of the wicked."

Of the Advantage derived from Sentences.

If we consider a sentence well, it possesses two advantages, which are by no means unimportant in attaching value to a discourse. The first proceeds from the foolish vanity of the bearer, who is delighted, if the person who speaks of a thing in general terms, makes show of entertaining the same opinion with himself upon any matter whereof he is persuaded. Another mode of explanation will, however, not only render clearer what has been just said, but will also lead to the research and discovery of sentences.

Now, as we have made it appear, that, properly speaking, " a sentence is a sort of enunciation or mode of expression which pronounces upon things in absolute and general terms ;" as also, that nothing gives more pleasure to a hearer than when he perceives a speaker's general opinion of things to coincide with his own belief of their truth, as to particulars ; for instance, if a man had bad neighbours, or disobe-

dient children, he would willingly listen to another who should say,

“That nothing is so troublesome as a bad neighbourhood ;” or,

“That it is the most silly thing in the world to beget children.”

Hence, I say, it follows, that the true secret whereby to find a store of sentences, lies in endeavouring to discover the sentiments of one's auditors, and the particular opinions by which they are prejudiced. When we have so done, it will be necessary to reduce those particular opinions into general maxims, alleging them as if they were absolutely true. So far for one of the advantages which a proper use of sentences carries with it.

Another, and a much more important advantage than the foregoing, is derived from sentences, inasmuch as in any discourse they leave behind them a certain impression with regard to the manners of the speaker, and afford some clue towards forming a judgment of what he is. This impression is visible in every discourse, whenever the orator puts forth his own influencing maxims, and makes known what actions in his life he proposes in preference to others. Now, to demonstrate those things is peculiarly appropriate to sentences. For, the sententious speaker does nothing more than pronounce, in general terms, upon subjects which relate to our choice in the

conduct of life, either in proposing or rejecting. Hence, if a man adduces such sentences as are commendable and connected with virtuous maxims, they will confer on him the appearance of a good man, and will impress a favourable opinion concerning him.

CHAP. XXII.

Of ENTHYMEMS in general.

We shall now speak of the method whereby these may be discovered, and afterwards lay down those *places* whence they may be derived. Both are matters of different import, and require to be separately considered.

We have already shown that enthymem is a species of syllogism, and how the syllogistic quality agrees with it, as also wherein it differs from syllogisms of logic. An enthymem has this peculiarity, that its proofs are never distantly derived, and that its conclusion is formed without necessarily expressing all its propositions, or saying the entire of what could be said. The former process it rejects by reason of the obscurity, tediousness, and the train of argument which attend it; and the second it dispenses with, because it is an unnecessary trouble to repeat what is self-evi-

dent and universally known. This is the reason why we commonly perceive persons of no study or elaborate education, more persuasive in popular oratory, or, to make use of poetic terms, "commanding an avenue to the ear by the harmony of their discourse," more than those who are infinitely learned, and who have deeply studied. The cause of this is, that the learned recur to universals, and common-place; whereas the others adhere to their subject, and speak only upon what they know. So that the true mode of rhetorical confirmation consists not in alleging all kinds of proofs, however probable they might be, but simply such as are received and approved of either by the judges before whom we speak, or by those whom they esteem, whether we secure the concurrence of all, or of a majority. It may be furthermore observed respecting enthymems, that their proof not only ought to be founded upon certain and necessary propositions, but also upon probability and that which is only commonly true. In order then to reason and argue upon any matter, we must first know, as to the subject, whatever it may be, wherein there is need of employing the force of argument: it makes no difference from what source such arguments be derived; for instance, from politics, or any other source.

It is absolutely necessary, I say, to be acquainted with every thing, or at least with

most things relevant to such subjects ; for, if we have no knowledge therein, we have no means of proving any thing, or laying the basis of any argument. For example, I ask, how is it possible to convince the *Athenians of the necessity for their going to war or otherwise*, if we be not truly acquainted with the forces which they possess ; whether they be powerful by sea or land, or in both respects together ; the precise number of their troops or vessels, the monies usually paid into their treasury ; the extent of their alliances, the nature and number of their enemies ; the wars in which they themselves have heretofore engaged, in what manner they conducted them, the success which they have had, &c. &c.

The same observation will apply, if our business is to *praise the Athenians* ; for, how could we accomplish that object, if we were unacquainted with the occurrences of the day at *Salamis* or at *Marathon* ; what they did in favour of the *Heraclides*, and such-like distinguished actions. The eulogist does nothing more than put forward whatever he finds either really or apparently praiseworthy in his subject. A similar method is employed by those whose subject is *censure* or *invective* ; except in matters perfectly of an opposite nature. The principal object of the invective orator is to see what can be found censurable in his subject, whether it be so in truth, or is merely believed to be so. For example, if

he were employed in speaking against the *Athenians*, he should reproach them for injustice in subjugating the remainder of the *Greeks*, particularly those of *Ægina* and *Potidea*, who performed such wonders in assisting to repel the common enemy. He should also bring forward whatever else he might find to the reproach of their character.

Is the subject *accusation* or *defence*, the same course must be adopted; for, an orator will never undertake to accuse or defend a man, unless he has previously made inquiry into whatever may criminate or justify him. It matters not whether he has to speak of the *Athenians*, the *Lacedemonians*, an individual man, a divinity, or of any other subject; the observation equally holds good: if, in the instance of *Achilles*, it be his business to counsel, to praise, to censure, to accuse, or to defend that hero, he must employ no other means than those which really, or at least apparently, result from the personal consideration of *Achilles*. If he would blame or praise that chief, he must see what glorious or what censurable actions are to be met with in his life: in defending or accusing him, he must review his deeds of justice or injustice: and, in counselling him upon any enterprise, he must reflect what his interests are, in order to convince him that his undertaking is advantageous, or otherwise. What is here said of *Achilles*, may be understood of every other

subject whatever; for instance, of justice, which is a virtue; for, if we would know, whether in reality it be a good or ill, we must have recourse to its peculiar qualities, or to the general nature of good.

This being the case, and as from the practice of all those whose business it is to prove a thing by demonstration and argument, acquit themselves as they may, whether they do so with precision or in a feeble manner, for it is not always in the orator's power to adopt what may seem to him to be good, but that only which is to be met in his subject; as, I say, the foregoing method is approved of, and pursued by every orator, and is so clear of itself, that reason shows us the impossibility of doing otherwise; it follows, that, to handle a subject well, it will be in the first place necessary, as has been shown in our *Topics*, to examine each part of our subject, and to make choice of such proofs as are most appropriate thereto.

With respect to unforeseen cases, where the subject is extemporaneous, the orator should proceed on the same line, as then there will be no necessity of recurring to vague and indefinite proofs, but merely of regarding whatever makes in favour of his subject, and of comprehending the greatest possible number of particulars. The more circumstances of this description he has provided, the more easy will it be for him to prove whatever he wishes; and the more precise

or approximating to the subject his allegations may be, the more appropriate and less common will be his proofs. By a *common proof*, I mean, for instance, "praising *Achilles*, as being a man whom birth has elevated to the rank of a demi-god ! or as having been of the number of those heroes who were present at the siege of *Troy*;" because, in reality, such circumstances are common to him with several others : so that whoever would eulogize *Achilles* thus, would say nothing more to his advantage than if he had only spoken of *Diomedes*. On the other hand, I call those things *particular and appropriate proofs*, which have happened to no other than the individual person : such as " *having slain Hector, the most valiant of the Trojans* ;" " *having slain the renowned Cycnus, who, by reason of being till then invulnerable, singly prevented the debarkation of the entire Grecian army*;" " *having entered very young into that war*," and " *having persevered to its termination, though the individual were merely a volunteer*."

Here then we have given one of the *places* whereby to consult upon the choice of *enthymems* and arguments in general ; it is, however, so highly important as to hold the first rank among those which are included in the province of *topics*.

The Elements of Enthymems.

By *element* I mean the same thing as that which is understood by the term *place*. Of enthymems there are two kinds: the one, which proves *that a thing is or is not*; the other, which *merely refutes*. Both are as nearly different from each other, as in Logic the argument called *elenchus* is from the *sylogism*. The demonstrative, or proving enthymem, always founds its consequences upon premises which have been granted, and which pass as true. The refuting enthymem, on the contrary, infers every absurd consequence, and solely assembles propositions which are self-contradictory. With regard to these *elements* or *places* of enthymem, it might be said, "that it is a trite and exhausted subject; since we have already laid down whatever *places* are necessary for almost every thing in each of the divisions of the art: for, each has its separate and select propositions. If any proof be wanting in relation to the matter of either of the three kinds, or any enthymem which it might be necessary to employ, they will be found under each separate head, as we have assigned propositions in proof of a thing being *good* or *bad*, *honourable* or *censurable*, *just* or *unjust*; and not only so, but have likewise given *places* upon *manners*, *passions*, and *habits*. It remains for

us, then, to speak of all these *places* generally, but in quite a different manner from what we have hitherto done, it being our design, in proportion as we examine them, to point out such as are of service alone in refutation, and also those which serve in proof. And not only this, but also to make known whatever places there are of false enthymems, that is, of such as merely have the appearance and the name, because they are even deficient in the syllogistic quality. After we have shown this, we shall descant upon *solutions*, and explain what is meant by *object* and *instance*, together with the manner of using them, in opposing any enthymem or argument whatever.

CHAP. XXIII.

Places for Enthymems of Truth and Proof.

One of the *places* proper for the establishment of a thing by reasoning, and for providing an enthymem of demonstration and proof, is the *argument by contraries*. Here we must observe whether one contrary be not contained in its opposite, that is to say, whether one does not

necessarily flow from the other. If the reasoning by contraries take place, it will be a serviceable argument to him who proves; if it does not, it will only be proper for the man who refutes. For instance, it would be good reasoning to say, "that to command one's passions, and to lead a regular life, is a very advantageous thing: for, there is nothing more noxious or injurious, than being servilely attached to one's pleasures, or being blindly led by one's passions." Or again, as we read in the oration called the Messenian, "If it be true, that war is the cause of all those evils and disasters which we see before our eyes; certainly, nothing but peace can re-establish matters, and place things on their former level." Or, as a poet has said,

"If no man's justified in passion's flame
Tow'rd those who injure him against their will,
Forc'd by misfortune's law, and stern decree;
So from a kindness will constraint remove
The debit of our gratitude or love."—ANONYMOUS.

And again, in another passage,

"If a discourse has ever so deceiv'd,
That, false though 't is,—'t is by the world believ'd;
Upon the other hand it is agreed,
That truths for falsehoods often are decreed."—*Ibid.*

The *second place* is that which arises out of what we call *similar cases*, or *conjugate terms*;

and here great care must be taken that whatever shall be said of one single term, may be said of all the rest ; whether in the negative or affirmative. For instance, in showing " that what is just, is not always a good, nor a desirable thing," one should say, " that, whatever happens to us justly, is advantageous ; but it is not advantageous to suffer death, even justly."

The *third place* is that of *relatives* ; for, it may be advanced, with regard to two persons, " that, if an action has been just or glorious in the agent, it is no less just or glorious in the man who has suffered a similar thing." And this observation will equally apply to " the person who has commanded any thing to be done, and to him who executes that command." Upon this ground, *Diomedon* the contractor, pretended to justify himself and his partners, when the people one day reproached him with his enormous possessions, and called him tax-gatherer : " What, gentlemen," said he, " if it be not shameful for you to deal with us, and to sell us those things which you do, why should it be reproachful in us to deal with you, and purchase them ?" Upon the same basis it might be said, " that if it be just and glorious in one person to have received a certain damage, it will be equally so for the man who has inflicted it ;" and, reciprocally, " if it be glorious and just for the agent, it will be

equally so for the person acted upon :”—in war, it is equally glorious to wound or to be wounded. This reasoning is not always, however, so true, as that falsity is not sometimes found in it : for, though no man can deny, “ that every person who has been justly put to death, has suffered justly,” yet it might happen, that the individual who caused him to be so, was extremely unjust in so doing: For this reason, it will be right to examine each thing separately, and to see on the one side, “ whether he who suffered death has merited it,” as, on the other, “ whether he who caused it was justified in so doing;” and afterwards, to make the application as we shall think proper, and as it may favour the cause. It is certain, that circumstances, such as we have instanced, are not always self-accordant, as there is nothing to prevent an occurrence now and then taking place, similar to what is to be met in the *Alcmeon* of THEODECTES; for, *Alphesibæa*, wishing to persuade *Alcmeon* that he had acted rightly in slaying his mother, alleged as a reason, “ that she was a most depraved woman, *that a decree for her death had been already issued,*” and, in fine, “ that she was the object of the whole world’s hatred.” To this, *Alcmeon* replied, “ that it was wrong to confound duties in such a manner, and to make no distinction of persons.” And when *Alphesibæa* professed not to

understand what he meant, unless he further explained himself, he added,

" 'T is true, a sentence did her death demand,
But yet no ordinance within the land
Arm'd with th' avenging steel her *son's* right hand."

}

Other examples upon this subject may be found, such as what occurred in the judgment pronounced upon *Demosthenes* *, and those who killed *Nicanor* ; for, it having been decided that it was a justifiable homicide, the whole world ever after believed that the murdered man only met with his deserts. The same thing may be seen in the proceedings respecting a man who had been slain in *Thebes*, where an order was issued requiring information to be given, *if the deceased had merited his death?* as wishing to make known, that it is not unjust to deprive a man of life who merits death.

The *fourth place* arises out of the argument *from more to less* : for instance, as though a man should reason thus : " If it be true, that the gods, enlightened as they are, cannot know all things, with less reason can it be supposed that

* I do not believe that the *Demosthenes* spoken of here, and in other parts of this work, is that famous orator, whose eloquence is so much admired, and who was a cotemporary with *Aristotle* himself. I rather incline to think, that he was a different person, who held a considerable official station at *Athens*, and even had the command of an army.

man does." This, in fact, is the same argument, as if we were to say in general terms, "that if a thing, which ought the rather to be found in a certain subject, is not to be met with there, it will be less met with elsewhere, where it ought not so soon to be found." Another example occurs in this, "that whoever is bold enough to beat his father, will make no great hesitation in beating his other relations." The following is an argument drawn *from less to more*, and flowing from the other more general rule, "that if we meet with any thing in that place where one ought least to find it, it will with stronger reason be met where it ought to be most found."

This sort of argument is two-sided: serving both *for* and *against*; and may be equally applied to the proof of a thing *being* or *not being*.

The *fifth place* is that of *parity*; when we argue upon things which are equal amongst each other, and wherein we shall not meet the distinctions of *more* or *less*. Hence a poet has said,

"If thy sire* shall with reason his sorrows relate,
And lament two brave sons who have seal'd their last doom,
Oh! shall not the sage, sad *Æneïs's* fate,
Some tears of compassion, some pity create,
Whose son, the great glory and prop of the state,
Now sleeps in a premature tomb?"

* *Aristotle* here means to refer the reader to the story of

In the following reasons we shall find similar examples of this mode of arguing :

“ If *Theseus* cannot be censured for injustice in stealing away *Helen*, neither can *Paris* for doing the same thing.”

“ If *Castor* and *Pollux* are not to be condemned for the rape of *Leucippe*’s daughters, neither can *Paris* for the rape of *Helen*.”

“ If *Hector* be commendable for having slain *Patroclus*, so will *Paris*, for having slain *Achilles*.”

“ If we do not find any thing worthy of blame in other professions, why should we blame that of philosophy ?”

“ If the general of an army suffers no loss of reputation for having been sometimes beaten in the field, no more can a *sophister* for having been sometimes vanquished in argument.” Or, as has been heretofore said, in a full assembly of the *Athenian* people, “ If, gentlemen, there be no individual among you, who is not bound to use his utmost endeavours towards the maintenance of your glory and reputation ; so, without doubt, no state has a greater obligation to maintain the interests of the whole *Grecian* commonwealth than you have.”

Thestius, father of *Alitheia*, who grieved excessively at the loss of his two sons, *Taxeus* and *Plexippus*, who were killed in battle. *Meleager* is the son of *Enëus* here alluded to. *Ovid*, in his Eighth Book of *Metamorphoses*, relates both these circumstances in full and elegant detail.

The *sixth place* consists in *having a regard to time*. This mode of arguing, *Iphicrates* makes use of, in his oration against *Harmodius*, before the *Athenians*. "Gentlemen," said he, "if it be true, that the statue which I this day require of you to erect in honour of me, be a recompense so reasonable and just, as that you would find no difficulty in granting it, even before I embarked in my enterprise—why, I say, now that I make the request, having succeeded in that enterprise, shall it be said that you refused me? If it be so, gentlemen, whenever you expect a favour, I advise you not to make a promise, if, having received a favour, you make no account of abiding by your word, and performing according to your promise."

Another example of this argument may be met in *Philip* of *Macedon's* reasoning upon the request of a passage through the territories of the *Thebans* to *Attica*. He thus addressed that people: "If what the king requires of the *Theban* people be so just as to be possibly conceded without hesitation, should he ask it at a time when they stand in need of his succour against the *Phocians*, would it not be extraordinarily ridiculous, that the present excuse of a refusal should be bottomed upon his neglecting the demand at a former period when he confided in their own good faith?"

The *seventh place* consists in *returning upon our*

adversary the same things which he has advanced against us." The excellence of this argumentative method may be seen in the *TRUCER*. *Iphicrates* also, upon being accused by *Aristophon* of having betrayed, for a sum of money, the fleet under his command, made use of this mode of address: "For," said he, "would you, *Aristophon*, have been guilty of such a treason?" The other having answered in the negative, and affirming that he was too much a man of honour so to do, *Iphicrates* replied, "What! would you, who are only *Aristophon*, not have acted so? and shall I, who am *Iphicrates*, be supposed capable of it?" It must be, however, remarked, that he who would use this argument must necessarily possess a reputation, and be assured that the judge whom he addresses would have no doubt, but that if an occasion for committing an act of injustice presented itself, the adverse party would commit it soonest: in any other case, the argument would appear ridiculous: for instance, supposing *Aristides* to be the accuser, and that what was said against *Aristophon* should be said against him, as this address is merely invented in order to prevent credit being given to the prosecutor's assertions, and is so far well-founded, because the accuser always sets up for a greater appearance of probity than the accused. Now, the object of the latter should be, to take objections against

the former, and, by such means, make known that his probity is not equal to his credit. It is, however, extremely impertinent to take objections in others against those very things which we do ourselves, or would not hesitate to do, or counsel others to do that which we ourselves neither do nor wish to do.

The *eighth place* consists in *arguing by definition*, as an example of which we may give what was said respecting *Socrates's demon*, in opposition to those who accused him of impiety, and a disbelief in the gods. The philosopher using the definition of the word *demon*, argued thus: "What you call demon is one of two things: either a god in reality, or the work of a god; now, whoever admits such a thing to be the work of a god, necessarily admits his belief in the existence of gods." We may also adduce in point, the reply made use of by *Iphicrates* to a certain nobleman of the family of *Harmodius*, who reproached him with the meanness of his birth: "My friend," said he, "that man is most truly noble who is the most virtuous and honourable man; for, in fact, *Harmodius*, from whom you boast your descent, and *Aristogiton*, originated their nobility in their integrity. I should myself have better reason to boast of being sprung from *Harmodius* and *Aristogiton* than you have; because my actions are more allied than yours, to the actions of those distinguished men." A

similar instance may be found in the oration entitled *Alexander* (i. e. *Paris*), wherein it is said, in justification of that prince, "that the strong propensity which he manifested towards love, arose not, as some imagine, from a brutal or disordered passion; because the whole world must concede, that love is not irregular in a man who bounds the satisfaction of his flame by the possession of a single beauty.

Upon this basis also, is founded the answer of *Socrates*, when he refused the invitation of King *Archelaus*, who courted him by all kinds of offers and salutations: "Because," said the philosopher, "it is not less shameful for an honourable man to be defenceless against kindness than against injury, and not to render like for like." In all the examples we have cited, the definition of the matter whereon the reasoning takes place, is established previous to the formation of a settled argument.

The *ninth place* consists in putting forward the different significations of any word, when there happen to be many, as may be seen by reference to our TOPICS under the head *Orthos*.

The *tenth place* arises out of the use of division in argument; for example: "It is certain that whoever offers a wrong or injury to another, is incited thereto by some one of three motives: either *this*, *that*, or the *other*. As in thus asserting: Now it is impossible that my client could do

what is alleged, from either of the two first motives; and as to the last, our very adversary does not advance it."

The *eleventh place* is, when we make use of *induction*; as in the oration entitled *Peparethias*, in which the question is, whether one should refer to the mother, in order to know the father of a child. The orator maintains, by the following induction, the usage in the affirmative being universally practised and received. "For," said he, "at *Athens*, when *Manthias* the orator asserted, that the child which was *fathered* upon him, was not his; immediate reference was made to the mother's decision. The same thing occurred at *Thebes*, when *Ismenias* and *Stilbo* disputed the rights of parentage over *Thessalicus*; for, when *Dodonis*, the child's mother, declared *Ismenias* to be the father, the decision was made absolute."

Another example may be found in *Theodectes'* oration, *in defence of the law*. "If it be true," said the orator, "that people do not willingly confide in a man's treatment of his own horses, when it is known that he has been inattentive to those of others; and if no man is disposed to intrust the guidance of his bark to a man who has already run several aground; in a word, if it be so in all other matters, surely a person would do wrong to intrust the care of his health with men who served only to destroy that of others

confiding in their skill." We may equally instance *Alcidamas's* method of proving that learned men are honoured and esteemed by the whole world. "For," said he, "the *Parians* paid particular honours to the poet *Archilochus*, though he defamed them. The *Chians* did the same with respect to *Homer*, though he was not a native of their isle. The *Mitileneans* honoured *Sappho*, though but a woman: and the *Lacedemonians* themselves, contemptuously as they treated literature, were so struck with *Chilo's* merit, that, in order to confer the highest honour on him, they admitted him a member of their senate. *Italy* has paid homage to *Pythagoras*; and the people of *Lampsacus*, though *Anaxagoras* was a stranger, not only erected a magnificent monument to him after his death, but to this day hold his memory in the highest veneration." Another example of *induction* may be found in the following proof, "that those states are happy wherein philosophers rule." For upon this head it is remarkable, "that the *Athenian* people have never been more prosperous, nor has their republic been more flourishing, than while governed by the laws of *Solon*; nor the *Lacedemonians*, so long as they precisely observed the code of *Lycurgus*. And that *Thebes* began only to be happy, when philosophers obtained authority and high functions in the state."

The *twelfth place* arises from the use of *what has*

been adjudged. For instance, in showing, "either that the same thing has already been adjudged, something similar to it, or quite the contrary; and this particularly, if it be found that the whole world at all times has judged so; if not the whole, the greater part, or the more enlightened." Or again, we may instance it in showing, "that the thing is the same as has been already decided upon by the judges whom we address, by those whose sentiments they adopt in any thing, or whom they would not venture to contradict. Of this latter description are their sovereigns, and all others with whom, from respectful propriety, they abstain from appearing to disagree; such as the gods, fathers, masters, and so forth." Hereupon *Autocles* took his stand, in compelling *Menexides* to appear upon his plea in the *Areopagus*, when the latter wished to except against the jurisdiction; "What! gentlemen," said he, "if goddesses (meaning the *Eumenides* or *Furies*) did not think it unworthy of them to appear before this august tribunal and submit to its judgments; what reasons, I say, can induce *Menexides* not to comply with the same thing?" Let us also attend to the reasoning of *Sappho*, when she pretended to prove that death is an evil. "So true it is," said she, "that the gods themselves (not one of whom has ever wished to die) have thought it so." It is also in point to adduce the reply which *Aristippus* one day made to *Plato*, upon hearing him say some-

thing, which, in his opinion, savoured of self-sufficiency: "I allow what you have asserted," observed he, "but our friend has never said so," meaning thereby *Socrates*, who had been the master of both, and whose system was totally remote from arrogance or presumption. We may equally quote the conduct of *Hegesippus*, who, having gone to consult the oracle of *Delphos*, having previously obtained a response from that of *Olympus*, demanded of *Apollo*, "Whether it were possible for him (*Apollo*) to be of a contrary opinion to that of his father (*Jupiter*), respecting the difficulty which he (*Hegesippus*) was going to propose?" as if he believed it would be indecent in *Apollo* and injurious to *Jupiter*, if the former were to entertain opinions opposite to those which had already been declared by the latter. *Isocrates* makes use of a similar proof respecting the character of *Helen*, whom he asserts to have been notably virtuous. "Because," says he, "*Theseus* gave that opinion of her." What the orator has said to the advantage of *Paris*, is from the same source of proof; "For," said he, "he must have been an excellent man, when three goddesses selected him as the umpire of their dispute." What *Isocrates* has said of *Eva-goras*, equally falls within the explanation of this argument. "He must have been certainly an honourable man, when *Conon* in the hour of his disgrace, and the wreck of his fortunes, preferred

repairing to his house, before that of any other great man among his friends."

The *thirteenth place of proof* is derived from *taking a thing in its parts*, as may be seen in my *Topics*, in that part wherein I have inquired into the species of motion attributable to the soul: I therein said, "If the soul in itself be merely a simple motion, it must of necessity be some one motion, or another." We may find another example of this argument in the defence of *Socrates*, drawn up by *Theodectus*, wherein he shows that great man not to have been at all reproachable in matters of religion, and altar-worship: "For," said he, "which of the temples has he ever profaned? Or what god, among those who are honoured by the commonwealth, has he ever refused to adore?"

By reason of all things being so constructed by nature, that they are invariably liable to consequences of either good or evil, we find that there is a *fourteenth place*; which considers every thing in its sequel, showing that it is either good or bad, by its ordinary accompaniment. This *place* is of such important use, that it is equally appropriate to the three kinds of rhetoric. For instance, because on one side science has the misfortune of rendering its possessors most commonly envied, and, on the other, has the advantage of giving an insight into an infinity of wondrous things; and as, without it, it

is impossible to attain to wisdom; we may draw the two following opposite conclusions:

1. "Then no man should be learned, or addicted to study, since no man should give occasion for his being envied." Or,

2. "Then a man ought to study and endeavour to be learned, since wisdom is so necessary, as that a man is miserable and contemptible without it." This place forms almost the entire of *Calippus's* Rhetoric, except that he includes some particular matters of which we have hitherto spoken, such as *possibility* and *impossibility*, &c."

The *fifteenth place*, which is pretty similar to the foregoing, is, "When of two opposite effects flowing from the same thing, we must make use of both in order to persuade a person to do, or not to do, that same thing;" and this equally on both sides, in the same manner as we have remarked in the preceding place. Between this and the former place, however, there is so far a difference, that, in the foregoing one, things are opposed as they are found, and in the latter it is always necessary that whatever is opposed should be so perfectly, and be quite contrary to its opposite. As, for instance, when the priestess wished to deter her son from the profession of oratory, she made use of this reasoning: "Either you will speak for justice or against it. If you speak for it, mankind will injure you and hate you; and on the other hand, if you advocate injustice, you will

make enemies of the gods, and draw down their wrath upon you." Another person added, "For this reason you should not obey the wishes of your mother; for, if you be the advocate of justice, you will be the friend of Heaven; and if you defend injustice, mankind will love and favour you." This mode of reasoning nearly accords with the meaning of the vulgar proverb, "to buy oil and salt." It is also called, "reversing the argument;" for instance, when it happens, as it does in what we have quoted, that two things being contraries, and equally followed by good and evil; the evil and the good are equally opposed in contrariety to each other. As mankind in general dissemble so far, that the heart most frequently belies the mouth, and that the object of their public praise is not that of their private encomium; for instance, in society, they assume the mask of propriety, and pretend to have no esteem but for justice and honourable sentiments, while in their souls they are self-interested and grovelling; for this reason, I say, it will be necessary to build a *sixteenth place* of proof, and to show sometimes, that a man's actions and sentiments do not correspond with his professions. This is one of the most powerful engines whereby to beat down extraordinary sentiments, and throw ridicule upon the man who would pass as being more virtuous or perfect than others.

The *seventeenth place* consists in *seeing, if, from what has been said, other things should not proportionately follow?* Thus, *Iphicrates*, perceiving all possible violence used to compel his son, who was yet a child, to perform the duties of a citizen, and bear his part of the expenditure as well as others, merely because he had arrived at manly stature, said: "If you assert that great children must pass for grown men; you must equally declare, that henceforward small men shall be considered as children." Again, *Theodectus*, in his oration in *defence of the law*, says, "If, gentlemen, you have, with reason, believed in the necessity of rewarding the good services and fidelity of certain foreigners, who were in your soldiery, as *Strabax* and *Charidemus*, whom you have honoured with the rank and privileges of citizenship; for this reason, I adjure you to punish, or shamefully expel from your territories, all those who have failed in their duties, or badly conducted themselves."

The *eighteenth place* is, *when the same effect flows from two different causes, to show that there is no difference in the nature of those causes.* Hence *Xenophanes* asserted, "That there was no less impiety in saying that the gods have a day of birth, than to say that they will some day die; since, let the assertion be taken as it may, it assigns some period when there will be no gods." In a word, whatever follows from one or other of those two causes, may be taken as one single and

similar effect, as may be seen in the defence of *Socrates*: "My lords, the decision which you will this day give, involves a matter of the highest importance, because the question is not simply relevant to the person, but to the profession of *Socrates*, and absolutely is a question whether it be of advantage to apply one's self to philosophy." Hence also a person might say, "That to give land and water; is to part with one's liberty *;" or, "that to permit ourselves to be included in the articles of a common peace, is to receive the law from another, and do what he commands." The use of either of these reasonings should be in proportion to its fitness for our cause.

The nineteenth place is founded upon the whimsicality of our choice, which causes us at one time to wish for what we did not before, and vice versa. The following enthymem will serve as an example:

"Gentlemen, if, during the whole period of our banishment, we have had arms in our hands, bravely fighting for our restoration; what! when we this day see ourselves restored, shall it be said that we would be cowardly enough to produce a self-dereliction, and be the instruments of our own banishment, through the fear of engaging in combat?" For, from this reasoning it appears, that at one period the recited individuals

* This was the usual phraseology of the Persian king's demands of any people, when he required the sovereignties both of land and sea.

preferred to fight and nobly die, rather than remain in perpetual exile: and, on the contrary, that, at another period, they preferred a return to exile, and submission to their enemies, before encountering the danger of battle.

The *twentieth place* is founded upon alleging, that whatever merely might have been the cause of a thing existing or being done, though it equally might not be so, was, however, the real cause. As if, for instance, a man had given a thing to another, and thereupon we wished to maintain, "That such a thing would not have been given to him, but with the intention of afflicting him more by depriving him of it." Hence a poet has said :

" Fortune no sooner wears the mask of friend,
With those who greatly through her means ascend,
Than, traitress-like, she whirls them from on high,
Consign'd to unregretted infamy."

Or as *Antipho* in his *Meleager* says,

" The daring youthful band inactive stood,
Nor felt ambitious of the monster's blood;
With *Meleager's* view their vows increase,
That his success might form the boast of *Greece*."

Theodectus, in his *Ajax*, furnishes us with a similar example, where he says :

" If *Diomed* sometimes selected *Ulysses* as his comrade in an important enterprise, we are not to imagine that it was because he preferred him to others, nor in order to testify his esteem for

him, but merely to do himself an honour, and to have no rival who could share in his glory." It might be that this was his true and only motive.

The *twenty-first place*, which is in great use upon forensic questions, and matters of deliberation, *consists in paying attention to such things as tend either to finish the confirmation of a person in his design, or to divert him from it; and also to those motives which are ordinarily the cause of our doing or avoiding a thing*: for, all these matters are of such a quality, as that when they seem to favour an enterprise, a person entertains no doubt but that he should apply himself to it. For example, in knowing "when such an undertaking is possibly or easily done: when a return of advantage is made to the agent or to his friends, or damage and loss to his enemies; in fine, when there is a great deal more to be gained than to be lost." In fact, upon matters of *persuasion*, these are the sole reasons which are alleged; as their contraries are for *dissuasion*. In forensic subjects, what serves for persuasion, will serve for *accusation*; and what serves for dissuasion, will equally answer for *defence*. This place is the most remarkable part of the art which has been transmitted to us through the treatises of *Pamphilus* and *Calippus*.

The *twenty-second place* exists when one brings in proof such things as are seemingly true, but which

are however incredible; because, if they neither actually existed, nor were in a state of doing so soon, they would not be believed. Now this will cause the greater credit to be given them, as one believes things only for two reasons—either because they are really or apparently probable. If, then, the things of which we speak, incredible though they be, and repugnant to probability, do not cease to be believed, we must take it for granted that it is merely because they are true, since, of themselves, they are neither probable nor capable of inducing persuasion. An example of this occurred when *Androcles Pithæus* rose up against a certain law; for, seeing that the people murmured and took it ill when he said, “that of all the laws which they enacted, there was not one which did not need another to correct it;” he added, “They should not be surprised, for that the fish which were taken from the very sea stood in need of salt.” Now, there is nothing so repugnant to reason, or so little like probability, as that a fish, which has been bred in the sea, should need salt; and equally so to say, that *olives want oil*, as it is difficult to believe, that what produces oil should want it.

The *twenty-third place*, which is only appropriate to refutation, consists in *paying attention to such things as are incompatible, and marked by contradiction.* For this purpose, it will be necessary

to examine every circumstance, whether of time, action, or words, and whether any thing falsifying or contradictory be to be met therein. This may in the first place be done with regard to the *person* of our *adversary*. For example, "Gentlemen, he has told you, that he loves you, and is inclined for your good; but I should like to know upon what basis is founded the affection of a man, who, in common with the thirty conspirators against your liberties, has done every thing in his power to enslave you." We may, in the second place, recur to this in *our own person*, as; "Gentlemen, he has said that I am addicted to litigation and chicanery; however, he has not been able to show that I have ever come into court, or that through my means any person has been brought to trial." Finally, this mode might be recurred to, conjointly in our own person, or that of our adversary. For instance, in this manner: "with respect to him, gentlemen, he is known to the world as a scoundrel, and a person who has never lent any thing to any person; whereas, on the contrary, I have been so far obliging, that many among you cannot deny, but that your escape from the hands of the enemy was owing to the money which I paid for your ransom."

The *twenty-fourth place* is, *when any person shall come to be suspected of a thing which the world will scarcely believe, to exhibit the basis of so incredible a suspicion, and assign reasons for it.* Some reason

must exist; for, the suspicion cannot be formed of itself without any foundation; for instance, a certain woman, overjoyed to behold her son, whom she had not seen for a long time, embraced him so amorously, and in such a manner, that the bystanders, who knew not of the relation in which they stood to each other, imagined it to be an indecent exhibition of lewdness; but no sooner was the reason given than the calumny ceased. Or, as may be found in the *Ajax* of *Theodectus*, when *Ulysses* gives a reason to *Ajax*, why, although the latter is really more valiant than the former, he is nevertheless not supposed to be so.

The *twenty-fifth place* consists in *judging of an effect by its cause*; as in saying, "that, if the cause is, the effect is; and if the cause is not, the effect is not." For all causes and effects never arise one without the other; and no effect absolutely can be produced, without a cause to produce it. For instance, *Leodamas* having to defend himself against *Thrasibulus*, who reproached him in his accusation, among other things, of being so infamous, that his name might be read upon the pillars of the citadel, if he had not taken care to efface it, during the reign of the thirty tyrants: "This," said *Leodamas*, "gentlemen, cannot be, since the thirty tyrants would have confided more in me than they did, if they perceived, by such an inscription, the hatred which I should be obliged to bear towards the people all my life."

The *twenty-sixth place*, upon matters of accusation, consists in seeing *if any other thing would not have been much better than that which is or has been given? or if such a thing which has been done, had not been better done in another manner?* For, there would be room to assert that such things have absolutely not been done; as no one loves to do a thing ill when he knows that he can do it better. Here there is, however, a falsity; since it frequently happens, that a person does not perceive how a thing may be done better, until after it is done, and consequently he could not have known it before he did the thing.

The *twenty-seventh place* consists in our observing, upon any occasion when a person is prepared to do a thing, whether what he is preparing to do be not somewhat contrary to what he has done before. For this reason, when the *Eleates* consulted *Xenophanes*, whether, in their sacrifices to *Leucothea*, they ought to bewail her? the philosopher replied, "If you believe that she is a goddess, there is no use in your wailings; and if you consider her as a woman, there is no necessity for your offering her sacrifice."

The *twenty-eighth place* is, *when a fault has been committed, to turn it equally to the purposes of accusation or defence.* *Carcinus*, in his *Medea*, represents the accusers of that princess to allege, in foundation of their charge, of her having murdered her children, *that no one knew what*

became of them; for, in fact, the fault which *Me-
dea* did commit, was, her having caused the de-
parture of her children without the knowledge
of any person. The princess is represented as
answering thus in her defence: "That she was
cruelly wronged in being accused of such an act;
for, if she were to murder any one, it would have
been *Jason* rather than her own children; and
that, even if she were reduced to the extremity
of which she stood accused, it ought not to
form the principal ground of charge or convic-
tion against her, as she ought rather to be ar-
raigned for not having murdered the father, after
having dispatched the children." This place in
particular, and this description of enthymem, is
the only thing taught by *Theodorus* in his prin-
cipal work upon rhetoric.

The *twenty-ninth place* is, *when a person merely
confines himself to words, and makes use of their
derivation.* Thus *Sophocles*, speaking of a cruel
woman named *Sidero*, says,

"Her name accorded with her heart of steel."

The use of this place is frequently employed
in hymns, and other compositions which are
chanted in honour of the gods. Thus, *Conon*
also said of *Thrasibulus*, "That his name well
befitted him, for, he was *bold enough to follow the
counsels which were given him.*" *Herodocus* said
as much to *Thrasymachus* respecting his name,

upon seeing that he was uncommonly fond of dispute; "You will never," observed he, "be any other than *Thrasymachus*, so mightily addicted as you are to quarrelling." He likewise made a similar allusion to *Polus's* name, which implies *Colt*, because he resembled that animal in his manner of acting. An observation to the same effect was made upon the name of *Draco*, the lawgiver, on account of his code; it being said, "That the laws which he had given, were not those of a man, but of a fierce and cruel dragon," on account of their severity, and the difficulty of observing them. *Euripides*, in like manner, has this remark against *Venus*, in his tragedy of *Hecuba*: "Her name appropriately begins with the word expressive of folly *."

Or as *Chæremón* observed, speaking of *Pentheus's* name, which seemed to forewarn him of a disaster which should befall him, "The name of *Pentheus* and that of *misfortune* are combined."

So far for the places of enthymem either demonstrative and proving, or those of simple refutation. The latter, it is to be observed, should be much more esteemed than the former, as they have the advantage of summing up, and briefly recapitulating things which are self-opposed or contradictory. Contraries are so far peculiar, that, when opposed one to another, there is no-

* *Aphredisia*, which means "the foam of the sea."

thing so clear, or easy to be conceived by the auditor. Of all arguments whether demonstrative or refutative, those are incomparably the most impressive, which afford a conjecture upon the remaining part, if the commencement be once developed. This should be the effect not of their superficial tenour, or their common matter, but of the orator's art and address. The hearer always feels a lively joy within him, when he perceives that he is so intelligent as to conceive things even before they have been ended in the narration. Next after these arguments, the best are such as occasion the mind no delay, and which are comprehended as soon as they are expressed.

CHAP. XXIV.

Places for false Enthymems, and such as do not apparently prove.

As in logic there are some *sylogisms* which are true, and others only so in appearance, so it is in rhetoric with regard to *enthymems*, among which, some are found really good, and others merely so in appearance. In fact, every enthymem is nothing

more than a species of syllogism. Now, with regard to the places of those false, or apparent enthymems: the *first* consists in the diction being so deceitful, *that the entire force is comprehended in expressions.* This place contains two parts: *one* (as may be likewise seen in Logic) is, *where a man instantly comes to a conclusion without having made any argument*; for instance, thus: "Gentlemen, if neither this nor that be the case, then this and the other must necessarily be." In matter of enthymems, a strong deception is created, by saying things with a certain turn and opposition of manner; for, herein the enthymem most delights, and is most in train towards producing its effect. This sort of deception is pretty nearly what is understood by logicians, under the term "figure of speech." Great assistance, as well as an impression of belief, may be given to this argument, by summing up several heads or conclusions of other syllogisms already made, and expressing them in the following manner; "He has saved some, avenged others, and restored the Greeks to liberty." For as each of these heads will already have been proved, it may be imagined that in thus repeating them all at once, something new, which never was before remarked, might be the result.

The *second part of this captious place*, is that which conforms to ambiguity; as if a person, speaking in favour of mice, should say, "That these little animals must be very commendable, and possessed

of something intrinsically excellent, since the Festival of Mysteries, so surpassingly important and solemn, has been named from them: the word mystery being derived of *mys*, which signifies a mouse." Or, if he had to eulogize a *dog*, he should put forward the circumstance of a constellation being so named, as also the god *Pan*, whom *Pindar* thus addresses in one of his odes:

"O, happy thou! whom the immortals name
The dog of the great goddess, &c."

Or, again, because the proverb says, "It is a shame neither to have a dog nor a cat in the house*;" to conclude, "that nothing is more honourable and worthy of esteem than a dog."

* These are not the exact words of *Aristotle*, whose terms would not so well apply to what he meant to convey. I have also omitted two examples which are founded upon double meanings, for which there is no reciprocal expression in our language. The first, in praise of *Mercury*, is derived from the two words, κοινικός and κοινός; the former of which properly means a *communicative man*, and the latter a man who is *common*, or *open to communication*; a term particularly appropriate to the god by reason of his functions: "Superis deorum gratus et imis." The meaning then of this sophism is, *that MERCURY must possess communicative qualities far beyond any other deity, since he is the only one to whom the term of eulogy, κοινός, is applied*. The other omitted example is founded upon the different meanings of the word λόγος, which sometimes signifies a *discourse*, and sometimes *esteem*. The meaning of the example is, that the word λόγος must denote something peculiarly

The second place is, *to say and do a thing conjointly, which should be distinguished and separately mentioned, or vice versâ*; for, as people commonly confound those matters, and as they all pass but for one thing apparently, though there may be many to be mentioned, for this reason, the orator should apply the case upon occasion, as best suits his subject. This is the entire finesse of a *sophism*; such as maintaining that there is a certain galley in the *Pyreus*, though there is not, because the individual to whom we speak knows, in particular, both what the *Pyreus* is, and the galley in question. Another reasoning of this quality may be instanced in a man's advancing, "that if a person should know the letters of a difficult verse, he should also understand the verse itself, which is only composed of the said letters." Or, again, if a man should maintain, "that because a double dose of medicine would not be serviceable to a patient, a single dose would not also;" for, he may add, "that it is ridiculous to believe that two things, which are separately good, can become bad by a combination." What is said in

excellent: as, in speaking of great men, the Greeks do not say of them that they merit large possessions, or great wealth, but merely that they are ἀξιοὶ λόγου. Herein the word λόγος changes its usual signification, and the phrase means, "persons worthy of esteem."

this manner, is merely appropriate to refutation ; whereas, if the argument were used in another manner, it would serve to prove ; as, for instance : “ It is certainly not true that good is so changeable in its nature, as that a thing possessing that quality in its single capacity, can be rendered two bad ones, by adding to it in double proportion.” This entire *place* is captious and full of falsity. Of this description is the argument of *Polycrates*, when, in extolling the actions of *Thrasybulus* above those of others, who were deliverers of *Greece*, he wished to show, “ that for *one* tyrant whom others destroyed, *Thrasybulus* expelled *thirty* together.” Thus, in saying so, he assembled in one single man the qualities of thirty. *Theodectus*, in his *Orestes*, acts the contrary part, for he separates what should be conjoined : “ Is it not true,” said he, “ that the woman who is guilty of her husband’s murder, merits death ? Is it not again true, that it is a son’s duty to avenge his father’s death ? And is not all this to be met in the action which has been committed ? ” I say, yes ; but it may happen, that uniting both circumstances would render the action no longer a justifiable one. Such an argument is so far vicious, that it may be referred to another sort of fallacy which logicians call “ defect : ” when a person does not say that which ought to have been said ; for in this case, it is not remarked by

what person the action has been committed, nor, whether it was the son who slew his own mother.

The *third place* consists, when a person wants to prove, or refute a thing, *in simply exaggerating its nature*. For example: if a man should accuse another of committing a wicked action, though he had not proved him to be the person, he may instantly proceed to aggrandize the crime. The means are, however, equally advantageous to the accused party, who, by himself, showing the enormity of the crime, would induce others to believe him incapable of it. On the contrary, if the accuser appear earnest in speaking of it, the guilt of the other party will not be doubted. In all that I have said, there appears, however, to be no proof nor argument, to show that the thing is so; and herein consists the deception which abuses the hearer's belief.

The *fourth place* is, *when, as the reason of a thing, its mere sign is adduced*. Every enthymem of this quality is captious and inconclusive. For example: as if one should say, "that amorous persons are extremely useful to a republic, and to a people who cherish liberty; because the love which *Harmodius* and *Aristogiton* bore towards each other served to the destruction of tyranny, and the defeat of *Hipparchus*." Or, as if a person should assert, "that *Dionysius* the Tyrant was a robber, because he was a wicked

man." Such an argument, it is clear, would conclude nothing; for, it is not true that every wicked man is a robber, although every robber is a wicked man.

The *fifth place* is "when the occurrence of accident is alleged as the cause of an effect;" for instance, what *Polycrates* has said in favour of rats and mice: "that the state was under particular obligations to those little animals, because, in time of war, they had so far assisted in disarming the enemy, that they gnawed their bow-strings asunder." Or, again, as if a man should contend, "that the greatest honour which it is possible to pay a man, is to invite him to a festival; because *Achilles'* anger against the *Greeks* arose from his not being invited to the great festival which they celebrated at *Tenedos*." Now, this was not the reason of *Achilles'* wrath, but the contempt and affront which were evident in that neglect. It is only on certain occasions, that the non-invitation could be an absolute cause of anger.

The *sixth place* consists in alleging as the reason and cause of a thing, that which is only a consequence of it; for instance, what has been said in praise of *Paris*, "that he must have been a prince of magnanimity and high spirit above the common stamp, because he despised the court and the great, and chose a retired and ascetic life upon *Mount Ida*;" for, as great-

minded persons commonly love solitude, *Paris* seems to merit the praise of that virtue. The same argument may be instanced, in saying, "that such a man is an adulterer, because he is a rake and a night-walker: as persons of this propensity are addicted to that vice." Or again, as if a person should say, "that beggars and exiles are the happiest people in the world: beggars, because they do nothing but sing and dance in the temples; and exiles, because they are at liberty to roam where they please:" for, as those who appear happy in the eyes of the world, find themselves at liberty to live and do every thing as they think fit, for that reason people imagine that they are happy; but the question is, to know how both descriptions are so, which not being mentioned, the argument may be classed under the head of "fallacy of omission," which consists in saying only a part of what is necessary.

The seventh place is when the cause of an effect is attributed to a thing which is not so; wholly, because the two things may have been done at the same time, or one immediately after the other. It is so common to confound matters of this nature, and to take an after-consequence for what has been a previous effect, particularly in state policy, that people almost reason in no other manner. Thus, Demades, in his accusation of Demosthenes, asserted, "that his government

and system of policy had been the cause of every disaster which had since befallen the state, because, immediately upon his assumption, a war took place."

The eighth deceptive place is that which has the defect of not expressing when or how a thing has been done ; as if a man should assert, " that Paris was not blameable for the rape of Helen, because Helen had permission of her father to take as a husband him whom she should prefer." Now, it is not true that this right of choice was granted to her for ever, but merely for the time that she should remain unmarried, as the authority of a father over his daughter does not exceed that extent. Again, we may instance this mode of reasoning thus : " That to beat freemen, without respecting their condition, and treating them only as slaves, is an intolerable insolence." I say, yes, sometimes, but not always ; for instance, when the person who is beaten has been the first offender or aggressor.

Furthermore, as in scholastic disputes, and upon matters wherein persons aim rather at the victory than at truth, it commonly happens that the syllogism is captious, and the reasoning false, by reason of the *ninth place, which consists in making no difference between that which is absolutely probable, and what is only conditionally so, and in a certain manner ; for example, in logic, one sometimes will contend,*

“that whatever *is* not, really *is*; for, at least we may be assured, that such a thing *is* absolutely that which *is not*.” And, as also, it is frequently contended, “that one may know that which cannot be known; because, at least, he knows in fact and certainty that such a thing cannot be absolutely known;” so, I say, it happens in rhetoric, with respect to the enthymem; for, conditional probability is not to be universally understood. *Agatho* has well observed :

“As chance in change doth constantly delight,
So probability, with equal right,
Hath many things which sin against its rules.”

In fact, it cannot be denied that extraordinary effects frequently happen contrary to all appearance. Probability, in this respect, may be considered as extending itself beyond its bounds, so as to be met even in things which have not its quality; so that there is reason for contending, “that whatever is not of itself probable, does not necessarily cease to be so.” This, however, cannot be the case absolutely, or in general cases, but merely in cases of school dispute, where the only thing sought for is an advantage over our competitors. Even in this, however, by neglecting to remark certain circumstances, for instance, “on what side,” “with respect to whom,” “in what place,” &c. deception is in-

duced, and the argument becomes captious. It is the same with rhetoric, wherein a person is often mistaken, by supposing, that what is only conditionally probable, is absolutely and unconditionally so. Of such importance did this *place* appear to *Corax*, that it is the only thing which he teaches in his book, and wherein he makes the whole arcanum of rhetoric to consist; for, he reasons in the following manner: "Supposing one man to be accused of having beaten another, which he cannot be suspected of having done, either from his infirmity or bodily debility, his defence is already made, as the subject of accusation appears by no means probable. But if, on the contrary, suspicion should alight upon him, by reason of his being stouter than the man who is beaten, the same reason reverts, as it may be said in his defence, that the accusation is absolutely injurious, and contrary to all probability and truth; because this man who accuses could not doubt, that, being so strong, the other could not fail to have drubbed him: the thing speaking for itself with an air of probability." And not only did he maintain it in such cases, but in every other; for, he added, "One of two things must be the case: either that the accused is guilty, or that he is not; so that, however the matter be considered, the thing will always appear probable." But, as I have said, the difference is, that one will be ab-

solutely and really probable, whereas the other will be but conditionally, or in a certain manner so. This deception may be properly termed, "giving the advantage to the weaker side," or "making a bad cause a good one." Thus it was with just reason that *Protagoras* was not well inclined towards his profession, because nothing was so false, or remote from truth, as the system which he taught; his entire doctrine being founded upon a deceitful probability, and a false appearance, which never enter into any other art besides rhetoric and sophistry.—So far then for particular enthymems, both true and false.

CHAP. XXV.

Of SOLUTIONS.

The solution of an argument may be made in two ways: either by reasoning against what has been said, or by adducing an instance. With respect to the *opposition of argument to argument*, the same places which have been given for the establishment and proof of an opinion, will serve to speak against, and destroy either. In fact, every argument of rhetoric is founded upon pro-

bability, which is of such a nature, that many things opposite, and seemingly contrary to each other, are to be found in it. With respect to *making objections and bringing instances*, it may be done in four ways, as has been shown in my *Topics*; for, every objection is drawn,

1. "Either from the subject in question ;"
2. "From one similar ;"
3. "From a contrary one ;" or,
4. "From one already adjudged."

An objection of the first kind may be illustrated by the following argument on the subject of *love*: "that it is absolutely the finest of all the passions, and most peculiar to honourable people." Two answers might be made to this: the first in general terms: "that whatever denotes a necessity must be bad of itself." The second in particulars: "that if it be true that love is a legitimate and honourable passion, it would follow, that it was wrong to speak so reproachfully of the amours of *Biblis* and *Caunus*, so as that they passed into a proverb; but that it was not wrong, because there are infamous and censurable amours."

An objection of the *second* kind might be elucidated by the following reasoning: "That a man is not absolutely honest who does not contribute to the welfare of his friends." To this it may be replied, "that a wicked man is

not in the habit of ill-treating or injuring *his* friends."

An objection of the *third* kind may be thus instanced: "that every person who has been ill-treated by another, never forgives him, but hates him all his life." This may be opposed in the following way: "That people whom we have most kindly treated, and who are under most obligations to us, are not always those who show the most gratitude, nor who continue their affections towards us the longest."

The *fourth* objection is especially used when those who have adjudged the thing are persons of weight and reputation. It may be thus exemplified: "That we ought to pardon the faults of a drunkard, because he transgresses unknowingly." This objection would apply: "Was not *Pittacus* a great man, and praised for his decisions? Yet in the laws which he has bequeathed, he is not so severe against any offenders as those who fall into the commission of faults from the habit of drunkenness."

So far for *general* objections to any argument. In order to reply in *particular*, we must bear in mind, that there are only four things upon which all enthymems are founded; viz.

"Probability;"

"Example;"

"A necessary Sign, or Tecmerion;" and

“ A simple Sign *.”

Every enthymem which bottoms its proof upon what really happens, or seems commonly to happen, is what we term an enthymem derived from *probability*.

The enthymem which is founded upon induction, is that which alleges in proof one or several things which are alike ; and this when going upwards to universals. Application is afterwards made to particulars ; of this kind is the enthymem drawn from *example*. The enthymem, which in proof, adduces a necessary effect, and such as that the existence of the thing cannot be denied, is what we term one derived from a *necessary sign*. Finally, when a person is contented with assigning for proof, things either very general, or quite particular, whether they be true or not, it is an enthymem founded upon a *simple sign*.

These premises being supposed, and as probability, from its nature, does not regard things which always happen in the same way, but which for the most part do so, it follows, that of all the enthymems which we have just remarked, there is not one which may not be solved by bringing forward an instance. Such I confess will not always be a true solution, as it will be more so in appearance than reality ; but it will not be useless, because, though a person may

* See the end of Chap. II. Book I. page 35.

not be able always to show, "that a thing is not probable," which is the main solution for ruining an argument; nevertheless, he should not cease attacking and weakening it, by showing, "that the proof is not convincing, and includes no necessity;" for this reason, defence has always the advantage of accusation, on account of the falsity which glides into the reasoning, and deceives the mind. Although, however, every accuser founds his proof upon probability, and whatever the difference may be, which is between showing, *that a thing is not probable*, or merely, *that it is not necessary*, yet probability is of such a cast, that it always leaves room for some reply or objection: if it were not so, it would no longer be probability, but necessity. Hence, it happens, that the judge, who is not the most acquainted with such matters, when he hears a reply made thus to an argument, and perceives it to be contended, "that there is no necessity for giving credit to what has been advanced," instantly imagines to himself, either that the thing is absolutely improbable, or, at least, that it exceeds his power, and lies not within his judgment, being deceived, as I have said, by the quality of the reply. However, he would be wrong, inasmuch as he would make known that he is ignorant of the extent of his jurisdiction, since every judge has not only to decide upon matters of absolute necessity, but also upon such as are

merely probable. So true is this, that it is comprised within the meaning of a person's "judging in conscience and equity;" so that, in order to solve an argument, it will not be sufficient to show that the proof fails in conviction or necessity, but also it must appear, *that it is not absolutely probable*. This will be evident, if the objection made be founded on matters which happen more commonly, than the thing which is alleged. Now, it invariably happens, that a reply is of this quality for two reasons: either on account of *time* or of *circumstances*; and if these two conditions meet together, nothing can be stronger; as it is certain that the oftener a thing happens in this manner, the more probable it will appear. As to *simple signs*, and the enthymems to be derived from them, however true they may be, they may be always solved, as has been said in the commencement; for, so far from their proving, there is not one capable of serving to infer the least consequence: this we have rendered evident in our *Analytics*.

The solution given to enthymems of *example* is the same as is given to those of probability; for, if there be never so little urged against them, which might make known that *the thing does not always occur in conformity with our adversary's assertion*, it will be quite sufficient; as by these means it will be clear that there is no necessity for giving credit to it. This will be the case, even though

the opposite party should show that the same thing had happened in quite a different manner, and more frequently than we said. If our adversary's proof be such, that, without being able to oppose any thing to him, he has made it appear not only "that the thing is as he said," but also "that it has several times happened in the same way;" the reply to be made is, "either that he does not speak of the same fact; that there are other circumstances to be remarked; or that some difference is to be found between one and the other of them."

With respect to the *necessary sign*, and the enthymems derived from it, as there are no other means of satisfying or solving them, but, as we showed in the *Analytics*, by simply denying the consequence, the only method of reply consists in showing, "that what is said is not true, and that the thing is not absolutely to be found;" if the thing, however, be effectually true, and there be no reason to doubt the necessity of the consequence drawn from it, as being founded upon an infallible and certain sign, it is an argument which defies reply, because it is as clear as if we had used a demonstration.

CHAP. XXVI.

Of AMPLIFICATION.

The address of aggrandizing or diminishing any thing beyond its reality, ought not to be considered as an element of enthymems. By element I mean the same thing as *place*; for, both serve as the basis of several enthymems, and are, as it were, a habitation for them. Amplification, then, consists in collecting together certain enthymems, *in order to show that some particular effect is great or little, important or trivial*; in the same manner as the *goodness or badness, justice or injustice* of a thing is proved; for, the whole is pure matter of syllogisms and enthymems. Amplification cannot be considered as the *place* of an enthymem any more than such proofs as these latter can. The same judgment will apply to *refutative enthymems*; for, they are of the same species as those which prove. Whoever pretends to refute or solve any argument, has but two ways of accomplishing it; the one is by *proof*, and the other by adducing an *instance*. He acts upon the former method, when he shows the contrary of his adversary's assertion, as if the latter were to say, "that such a thing has been done;" and the former should prove, "that it was not," or vice versâ: so that there is no difference be-

tween both, as they equally serve the same ends ; and each, upon its respective side, adduces enthymems, as well to show that a thing is, as that it is not.

With respect to *instance*, the quality of enthymem does not accord with it ; for, as we have said in our Topics, *to urge an instance* is nothing more than to give such an opinion upon a matter, as that, by such means, a person might know, either that the consequence which has been drawn is not sound, or that some false proposition has entered into the argument.

Thus I believe we have remarked, as far as was necessary, upon the subject of examples, sentences, enthymems, in fine, whatever belongs to the manner of conceiving or considering a thing ; and this, not only with a view to our capability of selecting all kinds of proofs and arguments, but also to put us in a state of replying to, or solving every thing, which may be alleged in opposition to us. We next come to speak of the only remaining thing to be considered, viz. the *order* and *disposition*, or *diction*, necessary to be observed in a discourse.

BOOK III.

CHAP. I.

SUMMARY RECAPITULATION.

In every discourse, three things are to be considered, of which, rhetoric must necessarily treat ; viz.

1. " The place whence its proofs are to be derived."
2. " What is to be observed in the matter of elocution ;" and,
3. " How the several parts are to be arranged."

Upon the first requisite we have fully and fundamentally treated. The three sorts of proof have not only been shown, but we have also demonstrated the reason why there cannot be more. This latter reason arises additionally out of the fact, that a judge is never persuaded to believe what is said, but for some one of the three following reasons :

" Either because he is moved or prejudiced by some passion ;"

" Because he has a good opinion of the speaker ;"

“ Or, because what has been asserted has been proved.”

We have also spoken of enthymems, and shown where they are to be looked for; besides having divided them into two species; the one, *specific* and particular to each kind; and the other called common place, and equally applicable to all the kinds of rhetoric. Our object is now to consider *elocution*; for, it is not alone sufficient to know what should be said, but it is also expedient to speak with a certain grace and propriety, the rather because it is an additional means of displaying the speaker's manners, and impressing a favourable opinion of him.

Of ACTION.

Brilliant eloquence depends chiefly upon the three following points; viz. *things*, *words*, and *action*. With respect to the necessary order of these, it has been hitherto observed, as we have in the first place inquired, “ What things are capable of persuading ?” And we next examined how these things should be well expressed, and in what arrangement ? The last point, which relates to *action*, and is of high importance, remains to be noticed. It was not until very lately that action entered into theatrical representations, or the recitations of heroic poems (*Παίψωδοι*). Before the present day, poets themselves represented their own tragedies; so that it is not now to be

doubted, but that this is a branch worthy of cultivation in rhetoric, as well as in poetry. As to the latter art, many have already blended action with it, and among others, a person named *Glaucon* of *Teos* in *Ionia*.

The whole secret of elocution depends upon the voice, in knowing how to use it when expressing the several passions; for instance, when it is necessary to raise or lower it, or speak in the ordinary and familiar manner; as also with respect to the various tones of sharp, bass, and tenor, as well as number or measure, in order to manage these tones properly in each particular motion.

Whoever studies pronunciation, is in the habit of observing three things; the body, or strength of the voice, its harmony, and its measure. So important is this consideration, that, of all the orators who appear in public, those only bear away the prize who are distinguished for fine pronunciation, and a handsome manner of reciting. This is not at all surprising; for, in the same manner as the comedians in theatricals have a considerable advantage over the poets, so it is with those who recite in public. It is the effect of corruption in the age, and exists because republics only esteem that with which they are pleased.

With respect to *action*, it is a subject which has never yet been reduced within the compass of art; and still further, it is not long

since precepts were for the first time given upon the head of elocution, which, to say the most of it, is of no great importance, at least one to which a person should not confine himself. However, though rhetoric itself, if fairly considered, contains nothing solid, and lies wholly in opinion, yet it should be attended to, not as a thing deserving our total occupation, but as of necessity, in the manner we have just seen. It would indeed be a desirable thing if a discourse were not to be frittered away upon so many idle modes of address as is commonly the case, since the only method of pleasing we should seek therein, ought to consist in avoiding excess in displeasing, or the contrary; for it is but matter of justice to adhere to one's subject, and to labour strongly in laying open the truth; every thing else, with the exception of proof, being useless. However, as I have said, it is the misfortune of the present day, that those modes of address carry with them a considerable effect, because every thing is perverted to the hearer's understanding. Some exception may, nevertheless, be made in favour of elocution, as it is in some degree necessary to the science in which it is of importance to express one's self in a certain manner. Scientific elocution does not however approach the excess of rhetorical elocution. The entire expression of the latter is mere fantasy, and has only been invented to accommodate the hearer's taste. So foreign is its language to that of sci-

ence, that it cannot be used in teaching geometry.

Reverting to the subject of *action*, it is certain that so soon as it shall be reduced within the rules of art, it will produce the same effect as theatrical representations do. And though it is not every day seen, yet it cannot be doubted, since there are already many authors to be met with who have attempted it in some manner, as *Thrasimachus* in his book upon the *Means of exciting Pity*.

Action and *elocution* are so far different, that the former borrows every thing from nature and genius, and very little from art; whereas the latter borrows every thing from art, and very little from genius. Hence the reason why, at the present day, we see two classes of successful orators, some carrying away the palm of *elocution*, and others of *action*. Every discourse which is committed to paper, has this peculiarity, provided its diction be fine, that there is much more value attached to the expression than the thought.

Of ELOCUTION.

The first persons who gave themselves the trouble of cultivating *elocution*, were the poets; for, order and reason rendered it necessary that they should commence it; since there is nothing so proper to aid a poet's design, which is imitation, as words, which we know are the living images of things

Of all the parts which nature has bestowed upon man, none is more adapted for the purposes of imitation than the voice; whence it happens, that, in consequence of elocution, we have seen other arts appear, which are merely subservient to representation, such as the comedian's art, and that of reciting heroic verse, with some others.

Among all the poets of repute, those held a higher rank in estimation, whose expression was rich, or whose versification was smooth; as to the sense, it was mere silliness. Hence, also, poetic diction first crept into use among orators; for instance, the style of *Gorgias*; and it was so far pleasing, that, even to this day, the ignorant and the tasteless imagine, that the man who uses it performs wonders. So far, however, from this being the real and necessary case, prose has a diction quite opposite to that of poetry. What has happened in this latter art not long ago, clearly justifies this assertion; as, among all the theatrical poets of the present day, not one makes use of the same diction which was formerly in vogue. For, in the first place, tetrameter verses have been altered into *iambics*, because the latter are more nearly allied to prose. In like manner, all those words have been abandoned, which were out of the ordinary manner of speaking, thus omitting what before served to embellish their diction. The theatrical writers have been followed in this system, by the composers of *hexameter* verse. To imitate the poets then in this respect, would be

ridiculous, as they have themselves forsaken that manner. And it is clear, that we need not precisely descant upon every species of elocution, but on that alone which is consistent with our subject, and appropriate to oratory. In our *Poetics* we have already spoken of poetic diction.

O F D I C T I O N.

CHAP. II.

On fine ELOCUTION.

In consequence of the reflections we have indulged in, let us suppose “that the beauty of elocution consists in its being self-intelligible and clear;” for, every discourse which is not understood, works no effect upon an auditory. Elocution should neither be too lofty, nor too humble, but adapted to the particular nature of the subject. I allow that though the use of poetic diction will restrain us from the meanness which we censure, yet it will lead us into another excess, arising from a mode of expression not at all adapted to prose.

Appropriate words contribute more than any thing else to render a discourse clear and intelligible; what takes from its humility, and ornaments it, is the use of those terms which we

have mentioned in our *Poetics*. It is certain that an alteration, and in some manner a disguise of words, gives a different appearance, and a majesty, to diction. As we experience a certain feeling upon beholding strangers, which we do not at the sight of such as are familiar to our view, so it is with diction. For this reason, then, it will be requisite to give a little disguise to, and, as it were, to clothe in a foreign dress, one's manner of speaking; because, whatever is foreign appears admirable, and whatever is admirable confers pleasure and satisfaction. Versification possesses this advantage completely, as many points are to be met with in it productive of this effect, and which are also well adapted thereto; because the subject of verse, whether a person or thing, is incomparably more noble and lofty than that of prose, wherein there are fewer occasions for introducing these things. Now, in order to show that the diction of a discourse should necessarily be proportioned to the subject, we need only observe, that even in poetry, lofty as it is, propriety does not always permit it to be sustained by grandeur of expression; for, it would not be pertinent, in representing the language of a young boy, or of a servant, to employ the finest terms in the language; and the same with respect to inconsiderable things. It should be in the same manner with prose, wherein this same fitness requires a thing to be done in a higher degree at one time, and in a lesser at another; one time to contract, and at another to extend, in

proportion as the subject will permit; but, in such a manner, however, that the artifice shall be concealed, and that, instead of appearing studied, we seem to speak naturally. The one method is proper for persuasion; the other produces a contrary effect. In fact, when the hearer perceives a studied manner, he holds himself on his guard, for fear of being surprised, placing no less distrust in a discourse of this nature than he would in adulterated wines. It might be said, that, between both modes, there is as wide a difference as between *Theodorus*, that famous comedian, and his coteremporaries, in point of voice; for, his is so natural, and yet deceptive, that it seems as if the person whom he represented spoke rather than the actor himself; whereas each of his fellow-actors used a feigned and constrained voice. The true method of deceiving thus, and yet concealing the artifice, consists in choosing such words as are most in vogue, as *Euripides*, the first who found out and discovered this secret to others, has done.

Of METAPHORS.

As every discourse is composed of nothing but *nouns* and *verbs*, and as there are so many kinds of nouns as we have already remarked in our *Poetics*; for this reason, the orator should avoid making use of as seldom, and in as few places as he can, both

foreign words, i.e. borrowed from other languages, as well as those of *feigned* or *double* meaning. We shall shortly hereafter mention the occasions when they may be used. The reason which forbids their general use is, that such words alter the common manner of speaking, in too great a degree, and disguise it beyond what is requisite. This is not the case with words which are *appropriate* and *in use*, nor with *metaphors*, which are alone useful, and adapted to prose. There is in fact no person, who, in familiar conversation, will not employ metaphors, as well as words, which are proper, and in use. Thus it may be seen, that if a person knows how to make a right use of those terms, he will not only convey into his expression something striking and extraordinary, but will likewise so cover the artifice, that it will not seem to be a laboured thing, and it will have the additional benefit of appearing clear; which are three conditions, in which consists the most finished oratorical elocution.

Of all the words which enter into prose, it may be observed, that *equivocal* words are most in use among *sophists*, because therein they place all their finesse, as being most serviceable for the purposes of deceiving. As to *synonyms*, they are more needed by the poet. The two words "Walk," and "Go," are *proper* and *synonymous*, because both are proper to express what they mean, and both mean the same thing. We have, in our *Poetics*, sufficiently

dilated upon equivocals and synonyms; as also upon the different species of metaphor, and the marvellous effects which it has in poetry and prose. The orator will be at the more trouble in looking for and discovering metaphors, because in prose there are fewer assistants than in verse; and as metaphor has the peculiarity of being clear, agreeable, and recommended by some charm of novelty, so he must seek it of himself, and not borrow it from another.

Whether we use epithets or metaphors, we should equally avoid choosing such as are not quite applicable to the subject. This will be effected, if there be an analogy and a just proportion in the sense; otherwise the thing would be in no manner pertinent or available, as contraries never display nor make themselves known more than when they are opposed. The method of avoiding this fault lies in considering the relation and reciprocity which things have towards each other. For, as scarlet is more becoming a young man, and any other colour suits an old man best, so it is with every thing else. If encomium be the subject, and we wish for embellishment, then we must draw our metaphor from whatever is to be found most lofty of the same description with the subject-matter: and, if we wish to impress a bad opinion of any person or thing, we must draw the metaphor from the worst and most contemptible sources: for instance, provided there be two things, which are

contrary, and comprised under the same kind, to say of a man who beseeches another, "that he begs," and of the man who really begs, "that he beseeches;" because, to do one or the other, is to "ask," which is the common kind under which both terms are classed. Thus, *Iphicrates*, one day wishing to pay *Callias* a grudge, called him *Metragyrtus*, and not *Dadouchus*, which latter was his true distinction and quality. The former term implies the mendicant of a brotherhood, or the plate-bearer; and the latter, the taper-bearer. To which *Callias* replied, "That, from what the other said, it was very plain, that he was not at all versed in the mysteries of the goddess, and that he never had the honour of being admitted among the number of those who were initiated; for, if he had known these matters, he would not have called him *Metragyrtus*, but *Dadouchus*." Now, though both those names imply two functions, which are peculiar to the ceremonies used in honour of the mother of the gods, nevertheless the difference is so great, that one is an honourable, and the other a mean avocation. The same thing may be observed with respect to those who formed the court of *Dionysius* the tyrant, for they were called by the whole world *Dionysiolacoi*, i. e. "Flatterers of the tyrant:" though among each other they called themselves *Courtiers*. Those two words are used metaphorically, the former in an infamous sense, as reproaching

with a shameful vice ; the latter, on the contrary, is applied with a good construction. The same method is resorted to by robbers ; for, in order to cover with an honourable name, the profession which they follow, they style themselves *Adventurers* and *Children of Fortune*. By these means, it is apparent, that there is nothing which may not be turned to a good or bad account ; for, if a man has committed a crime, it might be said, “ He has been guilty of a failing through misfortune.” On the contrary, if another has only committed a simple fault, by this address it may be construed into a criminal outrage. Thus, in speaking of a man who has merely pilfered, in order to render his act more odious, we may make use of terms implying a greater degree of violence, such as, “ he has plundered,” “ he has sacked,” “ he has ravaged.” An example is also to be found in what *Telephus* says of the *rowers* in *Euripides* ; “ That with their oars acting as kings upon the sea, they commanded the waves to waft them more quickly to *Mysia*.” Herein the metaphor is not good, because the words *King* and *Command* are too lofty to be attributed to the mean occupation of *rowing*. Such kinds of metaphors not being natural, their art cannot be concealed. We may also offend against the laws of metaphor in our choice of words, when the syllables are so harsh as to return a disagreeable sound to the ear, as is remarkable in the elegies of *Dionysius* the poet, who was

surnamed "the man of brass*," and who called poetry "the cry of *Calliope*," because the words "poetry" and "cry," each signify a description of voice. Now this metaphor is not only defective, because the word "cry" is harsh, but also because its meaning has no relation whatever to the sweetness of poetry.

With respect to metaphors, we must also take care that they be not far-fetched, but drawn from things which are approximate, and of the same species, in order that, if we name a thing, which has had no denomination before, we may do it in such a manner as to cause no doubt of its being appropriately so called, on account of the perfect relation between the name and the thing: as, for instance, in the following well-known enigma—

"A wondrous feat perform'd by fire I've seen,

"Brass firmly glu'd upon a person's skin."

For, as the manner of applying cupping-instruments has no name, and *to glue*, and to apply such things, are both the means of making one thing adhere to another, he who composed the enigma used the word *glue*, in order the better to express the method in which cupping-instruments are applied. In fine, whoever would have good metaphors,

* He was thus surnamed, on account of the advice which he gave the *Athenians*, namely, to use no other than brass money.

should have recourse to well-made enigmas; and as, in fact, the latter are composed of the former, it follows that an enigma cannot be well made, if the metaphors be not excellent also.

Metaphors must in like manner be drawn from sources of propriety, and things which convey fine ideas. As *Lycimnius* has correctly observed, a word may be proper or improper, for two reasons: either on account of its sound, with respect to the ear, or by reason of its signification. Besides this, there is a third motive of replying to a sophistical argument, which is commonly alleged in the proof of a contrary. *Brisso* adduces the following as a reason that there is no obscurity in words, and that a person, in speaking, can say nothing improper; "for let the expressions with which he may clothe the idea, be what they will, still he must say the same thing." Now, this reasoning is perfectly false, because there are to be found some terms, which are more proper than others for what is to be signified, and which are much more expressive and more capable of delineating a thing to the eye. Neither must it be imagined, that whatever term signifies the same thing, conveys an equal meaning, or interprets it in the same manner as another; so that if there were only this reason, it would be sufficient to convince us that there are some terms more proper and some more indecent than others: for though two terms may signify a proper and an improper thing both together, yet

they do not import either propriety or indecency precisely : wherefore the distinctions of more and less are to be remarked in them.

Metaphors must be selected in such a manner, that neither indecorum nor unpleasantness in word or expression shall enter into their composition ; neither must they be contradictory to our senses. In order to show the necessity for choice of language, we may observe the vast difference as to the propriety of the following modes of expressing the same idea : “ The rosy-fingered Aurora ; ” “ the scarlet-fingered Aurora ; ” or, which is yet worse, “ the red-fingered Aurora.”

Of EPITHETS.

Epithets or *adjectives* may be used as well as metaphors, and be selected to the advantage or disadvantage, the credit or the shame, of another person. For example, if speaking of *Orestes*, on one side it might be said, “ He was a parricide, and a wretch who slew his own mother ; ” while it might be equally contended in his favour, “ that he was a son possessed of noble feelings, who avenged the blood and murder of his father.” Or, as *Simonides* acted, when *Anaxilas*, who won the prize in the mule-races, requested of him to compose some verses on the occasion ; for, when the latter offered too small a recompense to the poet, he pretended a disinclination to the subject ; “ as

it was beneath him," he said, "to eulogize such creatures as half-asses." When *Anaxilas*, however, promised a higher remuneration, he composed these lines :

"May your keepers in all places prove to you kind,
Ye daughters of horses, more fleet than the wind."

He could have called them "Daughters of asses," if he wished. *Diminutives* are also of equal effect in this art. By the term *diminutive* I mean whatever renders a thing in appearance, whether good or evil, less than it is in reality. *Aristophanes* has employed these in his "*Babylonians*," where he makes use of mocking ; for, instead of naming things in the aggregate, as they are used to be—for instance, of the words "gold," "a robe," "an injury," "a malady," &c. he introduces diminutives. Great care, however, must be taken not to abuse the adoption of them ; for which reason it will be right to keep within bounds in their application.

CHAP. III.

Of FRIGID ELOCUTION.

Four circumstances operate in rendering elocution cold and unimpressive. In the first place,

double or *compound* words; as, for instance, when *Lycophron* said, "the many-faced heavens," "the mountain-bearing earth," &c.* Or, as *Gorgias*, when he uses the terms "true-swearers," and "false-swearers." *Alcidamas* also, in expressing the furious passion of a man against whom he inveighs, says, "his fire-lighted eyes;" and also, in speaking of the sea, he calls it "the azure-coloured deep." All such affected terms and modes of speaking savour more of poetry than of prose, on account of their two-fold construction.

The second reason why elocution appears cold, is this, when the use of foreign words is resorted to. Thus *Lycophron*, intimating that *Xerxes* was of immense stature, calls him *Pelorion*†. In

* I have not been able to find out two expressive compound words in our language for *ενοπίον* and *πλεχόμενος*. The former term *Aristotle* quotes from *Lycophron*, as attributed to a certain river, which was difficult of access, and very narrow; the second is from *Gorgias*, who applies the term to flatterers, as if he would call them *skilful beggars*.

† This word, though unknown to the *Athenians*, was used among the people of *Thessaly*. I have omitted an example, which *Aristotle* brings forward from the same *Lycophron*, when he calls *Sciron* the famous robber who was killed by *Theseus*, *σίνης ὄνις*; that is, in our language, *a man of pernicious and evil habit*. *Aristotle* further quotes as vicious examples from *Alcidamas*, the expression *ἀδύσμα*, which applies to poetry as *a simple diversion or relaxation of the mind*; the term *ἀνταθάλα*, by which he means *a transgression*; and the word *τεθρομένον*, which represents a man so enraged as to be beside himself. We have no words which can exactly express those terms to their full extent.

this respect *Alcidamas* is particularly reprehensible.

In the third place, diction will assume an air of frigidity, on account of epithets being used which either are too numerous, too high-sounding, or ill-suited. In poetry, the introduction of useless epithets is sometimes allowable, and it is even permissible for a versifier to say, "white milk;" but in prose nothing is less pertinent than their application; and if they be inserted in too great numbers, the defect is so visible, that every one will consider it to be poetry. They may, however, be sometimes used in prose, for they tend much to ennoble the diction, but we should be very reserved in using them to excess.

If a discourse be crowded with epithets, and be in every other respect perfectly prepared, it must yield to extemporaneous language, which is not so burdened. The latter may be said to be good, but the former will be absolutely good for nothing. Hence every work of *Alcidamas* is cold and disgusting; for he has this gross defect, that he uses epithets, not as a mere seasoning to provoke the appetite, but as a viand wherewith to satiate; so fond is he of their frequent adoption, of selecting those which are long and high-sounding, and of employing them unnecessarily. For instance, not content with simply expressing the word *sweat*, he adds the epithet of *moist*. He does not say "the Isthmian games," but, "the

solemnity of the Isthmian games." To express the word *laws* simply would not satisfy him; he terms them "the laws, the queens of states." The word *race* he does not make use of without addition, for he calls it "that impetuous motion of the soul which incites to running." Speaking of the *Museum*, he adds the words "of nature." And he never uses the word *chagrin*, without saying "the sad chagrin of mind." In place of stating that such an orator "is a graceful speaker," he would say, "That man possesses a grace which charms the world, diffusing pleasure and joy throughout the minds of his hearers." If it were necessary to say, "He concealed such a thing under some branches," *Alcidamas* would add, "of the forest trees." He would not say "such a man covered his nakedness," but, "the shameful nakedness of his body." Speaking of *concupiscence*, he incurs an aggravated censure for the terms by which he expresses it, viz. the *counter-rival of the soul* (*ἀντιπυρρον*); this being at once an useless epithet, and a double word, which completely approximates to poetry*.

All those who affect a poetic style, not only do what is unseemly and unfit for prose, but also

* The same paucity of double words, which I before remarked in our language, leads me to omit in the text another vicious example of *Alcidamas*, viz. respecting the words *ἔκδοσις*, &c. The meaning of the quotation is this, "an inundation of villainy without bottom or bank."

what appears cold and ridiculous. In saying more than is requisite, they also become obscure ; for it is a maxim, that when a thing is once clear, all that may be afterwards added can only tend to render it dark and intricate.

The occasion wherein double or compound words may be used in prose, is, when we fail in simple and proper words to signify our meaning ; as also when the composition of the word is natural ; as the word " pastime" (*χρόνιστος*). We must not, however, use too many, even of this kind, as it would then appear a style of poetry, not of prose. Double words are purely poetical, as may be seen from their great aptitude to, and considerable embellishment of dithyrambic poetry, the style of which is inflated and turbulent. Foreign words are more suitable to the *epic poem*, and the *epopea* ; for the latter is lofty and majestic in its aim. Metaphor suits iambic and theatrical poetry best.

The fourth circumstance to be remarked upon coldness in *metaphors*, is, when a person does not know how to choose them. There are two sorts of metaphor which are useless to any subject ; one, on account of the ridiculous effect which it produces ; for which reason, it is frequently employed in comic poetry : and the other, on account of its gravity, enters into tragic composition. This coldness also will be felt in metaphors, if they be obscure, which they certainly will be, if far-

sought, as in *Gorgias*, who at one time calls certain things *pale* and *wan*, which at another time he terms *ruddy* and *high-coloured*. In another place also the same author says, "As you had only sown to your shame, so the harvest which you have reaped has been disgraceful to you;" for all this is too poetic.

Again, we find *Alcidamas* daring to call philosophy "the fortress and bulwark of the laws;" and the *Odyssey* he terms "the perfect mirror of human life*." Every thing of this description is improper for the ends of persuasion, for reasons already stated. *Gorgias's* saying, on the occasion of a flying swallow having dinged upon him, would certainly have been very good in the mouth of a serious poet: "In truth, *Philomela*, thou hast not acted with propriety."—Had he addressed the object as a mere bird, the saying would be of no value, since there was nothing shameful in the action; whereas the contrary was the case, when he spoke as if to a woman. This reprimand of the bird was very ingenious, as it reverted merely to what it was before the metamorphosis.

* It would seem that *Aristotle* had no great regard for this *Alcidamas*, whom he takes every occasion to put forward, wherever censure is to attach. I have omitted in the text, for the same reason as before, the example which *Aristotle* quotes of the word *ἀδύσμα*, which is now considered by him as a bad metaphor, having already objected to it as a foreign word. In the present sense, *Alcidamas's* meaning and phrase is this, "Not finding any thing like it in his poetry which could amuse."

CHAP. IV.

Of IMAGES.

An image, or comparison, is a metaphor, or, at least, nearly one. Thus, when the poet, representing *Achilles*, says, "He stalks like a lion," it is a simple image; but, when he says of the same hero, "This lion sprung forward," then it is a metaphor. The lion being a strong and courageous animal, and *Achilles* being principally distinguished for those two qualities, for this reason, the poet, wishing to show the nature of his valour, metaphorically calls him a lion.

Comparisons are not obnoxious, but are even useful in prose; nevertheless, they should not be too frequently used, on account of their poetical characteristic. Every comparison should have the same source with the metaphor, the difference between them being only that which we have instanced.

I shall here give a series of examples, illustrative of comparison: and first in *Andro- tion's* raillery against *Idrieus*; for, he said, "that he resembled a chained mastiff, who has broken loose, and bites every one in his way; as *Idrieus*," he said, "since his imprisonment, is become so morose, that he attacks the whole world."

Theodamas compared *Archidamus*, though he was deeply versed in geometry, to *Euxinus*, who knew nothing of it; and this he did, in order to show, "that both resembled each other so much in villainy and deformity, as that they might be mistaken one for the other." The manner of making this comparison was so just, that it could even be reversed, and it would then stand true: "that *Archidamus* was a second *Euxinus*, with the difference of being learned in geometry; and that, in proportion, *Euxinus* was another *Archidamus*, save that he was no geometrician."

Plato, in his *Republic*, speaking of those who, to gratify their vengeance, despoil the dead, compares them with "dogs who bite the stones, without attempting any thing against the persons who have thrown them." And, in another part, upon the subject of a popular form of government, he compares the people, in such a case, to "a pilot, of strong and robust constitution, but who is hard of hearing." We cannot omit what he says against versification, when he compares the beauty of verse to that clearness of countenance which renders a face agreeable, though of itself not handsome. "For," says he, "no sooner has this clearness of complexion vanished, than all traces of the same countenance vanish also. So it is with verses, if you

take away that number and justness of proportion, which render them agreeable as they are."

Pericles' comparison against the *Samians* is equally remarkable. He said, "that they resembled little children, who cry when they are desired to eat, and yet take what is given them." We may also note what he said against the *Bœotians*, on account of their frequent disputes, and internal contests: "that they were like those descriptions of the oak, which if knocked one against the other, both will break in pieces."

Demosthenes, in time of war, perceiving that the *Athenians* invariably rejected the good advice which was given them, compared them with "persons who cannot go to sea, or endure the agitation of a vessel, without feeling inclined to vomit."

Democrates, exposing the evil designs of the orators, in misleading the people, compares them to nurses, who, under the pretence of preparing better the aliment which they have to give their nurslings, suck it so completely, as that, when they draw it from their mouths, nothing is left but the spittle with which they have besmeared it. And, finally, *Antisthenes* compared *Cephisodotus* in prison, to incense; "for, as the latter, while burning, gives a grateful odour, so he, being every day in a state of decline, every person felt rejoiced at it, as he was a man notorious for his depravity."

Every one of these examples may be equally employed, as an image or as a metaphor; whence it follows, that whatever is well received as a metaphor, will also as a comparison; as the latter is nothing more than the former, except that it ought to be accompanied by some reason.

No metaphor which is founded upon analogy can be good without observing these two conditions: first, that it may be possible to reverse it, and that the terms transposed on either side will equally answer: secondly, it should be founded upon things of the same nature and kind. For instance, if it be true to say*, "that old age is the winter of life," for the same reason it may be said of winter, "that it is the old age of the year." And if it can be said, "that *Bacchus's* bowl is his buckler," by the same analogy, *Mars's* buckler might be denominated his bowl.

Such then are the usual component parts of a discourse.

* This hypothetical premise is added to explain the text.

CHAP. V.

Of pure and correct ELOCUTION.

The principal basis of elocution consists in speaking one's native language with purity. This depends on five things: *first*, on being acquainted with the appropriate disposition, and natural arrangement, of *conjunctions* and *particles*, putting those which should precede, and those which should follow, in their proper places.

For instance: *although* will require after it the word *nevertheless*; and *but if* will require the same disposition of the particle *then*. Respecting those conjunctions, it is, however, to be observed, that, in order to render them perfectly respondent, they must be so disposed as not to embarrass the mind, nor deprive it of the capacity of remembering the first, when we come to the second. To this end then, we should take care that they be not too distant from each other; and whenever any are found, which necessarily follow each other, we should not insert others, between any two, which may destroy their connexion; there are very few occasions where such an insertion can well take place. It would be incorrect to say, "*But* for my part, so soon as he told me so; *for* Cleon arrived thereupon, who conjured me and intreated that I would imme-

diately come. I *then* set out, and went off with them."

In this example many conjunctions are interposed before we come to what is looked for; and which should follow the first one: so that, be the interposition never so little between the latter part of the sentence and the first, the matter would be completely obscured.

The second thing to be observed is an adherence to *proper* words, and to avoid *circumlocution*.

Thirdly, we must avoid ambiguity, and whatever can induce an equivocal appearance, unless we set out with the design of adopting it for some particular end; as they commonly do, who have nothing to say, yet wish to make it be thought that they say something. Persons of this description never fail in using circumlocution and equivocal phraseology: among them may be placed *Empedocles*.

Nothing is more appropriate to deception than the use of circuitous words, when there are several; as the same thing happens to the hearer, which we see happen with most of those who consult a soothsayer, and take for truth whatever is equivocal, or bears a double sense; witness *Cræsus*, to whom the oracle said, "*Cræsus* having passed *Halys*, must lose a great empire."

Not only do soothsayers make use of equivocal *finesse*, but also of general terms; to the end

that, if they be mistaken, their fault will appear less considerable. If a man play at the game of *odd and even*, he will certainly fail less in always answering odd or even, than if he were to attempt telling the precise number. So with predictions, there is much greater certainty in saying generally, "that such a thing will happen," than in marking the precise time when. For this reason, soothsayers never confine themselves to circumstances; and, in none of their predictions, do they assign *when*.

The *fourth* point to be observed towards purity of language, is what *Protagoras* teaches respecting the genders of nouns, which he divides into *masculine*, *feminine*, and *neuter*. Herein we must be very circumspect, so as to apply each gender properly. For instance, in speaking of a female, we should put every thing which has a relation to her in the feminine gender. Thus we should say, "This woman having arrived, she stopped some time to chat, and then *she* went away," and not "*he* went away;" as the word woman, to which the reference is made, is of the feminine gender.

Fifthly, we should attend to the *number*; whether one, two, or more persons be spoken of. In a word, we should observe the construction of the *singular*, *dual*, and *plural* numbers. Thus, in speaking of several, we should say,

“No sooner did *they* return than *they* beat me,” and not “*he* beat me.”

Generally speaking, whatever is committed to writing, ought to be easily read and easily pronounced; which is a matter dependent upon these observations. Now, this cannot be the case, if there be too many conjunctions, or if the punctuation be difficult to make out, as in the works of *Heraclitus*; in reading which there is no small intricacy in marking the punctuation, because, very frequently, one cannot tell whether to refer to what goes before or after; for instance, the very commencement of his book, where he thus speaks: “But of this divine reason, which subsists always, men are incapable.” Now it is herein impossible to tell to what the word *always* refers, or whether it be before or after it that the comma should be placed.

Another very great fault in elocution, and which indeed is a solecism, is, when, instead of a word which ought equally to agree with two others of a different meaning, we insert a word which does not accord with both, or does so only with one; for instance; it would be incongruous to make the word “see” equally referable to sound and colour; for, it is not a term which is common to both.

Upon the whole, what renders diction obscure is, when we have several interpositions to make, and the first meaning which has been commenced

cannot be understood, if what is dependent upon it be not put as a consequence, to wait the insertion of the latter till all those interpositions have taken place: for example, there would be a great deal of obscurity in the following expression :

“ For my part, my determination was, as soon as I should have told such and such things to a certain person, and that I should have made him comprehend that matters stood so, to retire at the same moment, and betake myself to my journey.” It would be much clearer thus :

“ But for my part, I determined to set out on my journey, as soon as I should have conversed with such a person upon certain affairs, and should have made him understand how matters were.”

CHAP. VI.

Of the TURGID STYLE, or BOMBAST.

What contributes to this, in the first place, is, taking the definition, instead of the simple word; for instance, instead of the word *circle*, if we were to say, “ a surface on all sides equally distant from its centre.” On the other hand, in

order to make the diction close and abridged, we should use the simple word instead of the definition. This latter address may be used whenever a thing is neither becoming nor proper to be said; for, if the definition cannot be given without expressing something indecent, the simple word must be resorted to; and, if the latter be improper, we must go to the definition.

A second method whereby diction may be inflated, is by using metaphors and epithets; taking good care, however, that it savour not of poetry. We may also accomplish this style by making several of one individual thing; or, in other words, using the plural instead of the singular number, as the poets commonly do. For, though there be but one sea-port in that district, a poet would not hesitate to say,

“ In the ports of *Achaia*.”

Or, in the same manner, of one single letter,

“ These letters full of sorrow and complaint *.”

Another secret whereby diction may be inflated; arises from the separation, by means of an article which is repeated, of two words which

* *Riccoboni* follows *Lampridius* in the interpretation which he gives to this line; I have, however, in compliance with the best translators, adhered to the manner in which *Victorius* has rendered it.

should be joined, and put one after the other; for instance: instead of saying all at once, "of our servant," to repeat thus, "of the servant of our house."

In order to abridge, we must adopt the contrary method. This style of diction may be equally attained by the use of conjunctions; their omission will serve the purposes of abridgment; bearing in mind, however, that, in this case, the matter does not appear loose and unconnected. Making use of the conjunction, we might say thus: "After that I had arrived, and that I had spoken to him." Omitting it, it would run thus: "When I had arrived, I spoke to him." The turgid style may also be attained, by adopting *Antimachus'* method: namely, in speaking of a thing, to express some quality which it has not; as in his praises of *Teumessus*, a small mountain of *Bœotia*:

"A certain little mountain there you'll find,
Which stands the shock and blast of every wind *."

Things taken in this manner, may be carried to an infinity. So far convenient is this, that it equally serves for both sides of a question, and may be employed upon bad as well as upon good

* The original is herein defective; for, it does not give the remaining part of this example, which is that necessary to show the application of *Aristotle's* method.

subjects. Hence, in fact, the poets have invented so many sorts of epithets and negative terms, as, when mentioning a vocal concert, they call it *melos*, *achordon*, *alyron*; which means a *concert wherein neither lutes, nor any other string instruments are used*; for this simply marks privation. However, though negative terms lay down nothing of themselves, yet they are not the less to be esteemed in metaphors founded upon analogy *.

* It becomes unavoidable to strike out from the text the example which Aristotle adduces of those negative terms he has mentioned to be in such esteem, when they contain an analogical metaphor. The example is this; as if it were to be said of a trumpet, that it is τὸ ἄλυσον μέλος. In order to make this understood, I presuppose the reader's acquaintance with *proportion* and *analogy*. Laying down, then, on one side, the terms, *trumpet* and its *sound*, which has no proper name; and on the other, the term *lute*, which the *Greeks* call *lyra*, and that of its *harmony*, which is distinguished by the appellation of *melos*: as these terms are analogical, the same relation which will be between the *sound* of the trumpet and the *instrument* itself; the same there will be between the *lute* and its *harmony* called *melos*. It consequently follows, that each of those terms may be reciprocally transferred from one to the other; that is, it may be permitted to attribute, metaphorically, to the trumpet, the name *melos*, as has been done by the poet cited by Aristotle. But, as *melos* expresses something too sweet to be said so absolutely, with respect to the trumpet; the same poet, wishing to moderate this boldness of phrase, and to temper his metaphor, has made use of the word *alyron*, a negative term, in order to correct what would otherwise seem a license of phrase. Now, this term of itself implies nothing positive, and only serves to

CHAP. VII.

Of Diction appropriate to the Subject.

In order to acquire this species of diction, three things are necessary: "that it be pathetic;" "make known the manners of the speaker;" and "be proportioned to the matter which is treated of."

The diction will be proportioned to the subject, if the latter, being grand and noble, be not debased by a meanness of expression; or if the subject, being low and common, is not assisted by grave and majestic language; and, finally, if a word, being simple and of trivial signification, be not bedizened with ornament, since that would approach comedy. This has frequently been done by *Cleophon*, who expresses things in such a manner, that what he says is just as if a person speaking of figs, should call them *venerable*.

Diction will be *pathetic*, if, upon the subject of an offence, or an injury received, the discourse appears to come from an impassioned man; or

show, that when the word *melos* is attributed to the *trumpet*, it is not to be imagined that its harmony is so sweet or so delicate as that of the lute. Hence arises the freedom which *Aristotle* remarks, as springing from analogy.

if, in mentioning an impiety or an indecent action, the speaker seemingly does so with aversion and regret : or, again, if the subject be some good and distinguished action, provided the orator testify his extreme joy and delight therein ; or, when the matter is sorrowful and worthy of compassion, if the discourse itself be sad, and attended with a certain humility ; and so with regard to every other passion.

Diction also which is adapted to the subject, tends not a little towards persuasion, because the mind, being thus deceived, immediately enters into this false reasoning, “ That what is said is actually true ;” as all those who are affected by the same passions never say things otherwise. Hence it follows, that though there be nothing but fiction in all which has been said, yet the thing appears so true, that the assertion is not doubted. To this may be added, the self-weakness of the hearer, who cannot listen to what an impassioned person says, without, at the same time, experiencing and feeling something of his passion, even though what he says should be of little consequence. Hence the reason why we perceive so many people incessantly agitated and troubled even by the violence of a storm, or of some other noise.

Diction will be expressive of the speaker's manners when he attaches himself to certain signs

by which they may be known. It is to be observed, that every *description* of persons, and every habit, affects a certain cast of character in speaking, which is always attendant on them. By *description* I mean to imply the difference of *age*, *sex*, and *nation*; of the former, if the speaker be a child, a grown or an old man; of the second, if the person be a man or woman; of the latter, whether the speaker be a *Lacedemonian* or a *Thessalian*. By *habit*, I suppose whatever distinguishes every individual, with regard to the manner in which he lives. Every habit does not cause a difference in men's lives, or a change in their manners. If, then, a person knows how to make a right choice of the particular and appropriate terms for each habit, the discourse will certainly bear the character I have said, and will make known the manners of the speaker. The language of the peasantry and that of the literati is widely different: in fact, if two persons of these classes were to speak upon the same subject, they would neither say the same things, nor make use of the same manner.

Another particularly impressive mode of address, is that which, in the present day, is so commonly and even eagerly read in the works of those who write upon questions turning on the reception of some doubtful proposition: for instance, when such persons say, "Who is so ig-

ignorant as not to know that? Is it not a thing known to the whole world?" for, the reader who is self-opinionated, and would blush at avowing his ignorance, immediately ranges himself under your banner, so as to avoid being the only person who seems ignorant of what he believes every one else to know. In respect to the time when it will be proper to use this, or not; it is, in common with all other descriptions of rhetorical address, entirely a matter of judgment.

If any hyperbole or excess is discovered in what has been said, the remedy is short, and is commonly applied. In this case, the orator must blame himself, and take the censure of his own feeling, as by any other means he may make himself believed. Another observation to be made is, as to things which should be proportioned, and which require some sort of uniformity, not to be quite so exact throughout in them; this is a method which considerably contributes to deceive the hearer: for example, if the words used be rough or harsh, to provide that there shall not be remarked either in the countenance, voice, or any part of our action, any thing which we know to be conformable or entirely corresponding with this harshness; for, such an affectation would be immediately discovered. But if, on the other hand, we take up one and omit the other, then the artifice will be

concealed, and yet we shall be sure to produce the same effect. We must however be cautious, how we fall into the extreme of coarseness; for, if any person were so injudicious as to pronounce harshly that which should be smoothly pronounced, or vice versâ, undoubtedly there would be nothing more depraved, nor less calculated for persuasion.

In impassioned speaking, it is permissible to make use of all sorts of terms, whether epithets, compounds, even numerous, and also sometimes foreign words. The reason is, that a man under the influence of passion is easily pardoned for having represented things greater than they are, or, on account of some trifling offence received, for having used extraordinary words, such as *Pelorion*, a word foreign to *Athens*, or *Ouranomekes*, a double word, which means enormous, terrific, or heaven-scaling. This license is also permitted when the orator has made himself perfect master of his hearers' minds, and has, as it were, transported them beside themselves, whether by the praises he may have lavished on them, by the force of an invective, in the midst of his passion, or in the gladness and agitation of an affection which urges him forward.

For instance, what has been said by *Isocrates* towards the end of his *Panegyric*; "Gentlemen, in your opinion, where does glory or reputation

consist? &c.” And in another place he says, “Those who for the safety and honour of their country, have voluntarily suffered, &c.” In fact, every person who indulges in the transports of passion is accustomed to this mode of speaking, and usually causes the hearer to participate in his feelings. Hence, its peculiar propriety for poetic composition, which is, as it were, divine, and above the ordinary standard. These modes of speaking may either be seriously employed, or turned into ironical raillery, which is the use made of them by *Gorgias*, and by *Plato* in his *Phædra*.

CHAP. VIII.

Of NUMBER.

With respect to the form and turn of prosaic diction, it need not be measured by exact numbers like verse; nor yet should they be wholly neglected. The first case, besides giving the appearance of study, is apt to divert the attention, as the number would in fact be the only thing thought of, and the mind would be constantly on the watch for the return of the same cadence, as may be observed in the conduct of boys who

attend the manumission of a slave. So soon as the herald has repeated, for any continuation, the name of the freedman's patron, for instance, *Cleon*, the boys are so regularly attentive to the return of that sound, that they anticipate the herald.

In the second place, it would be vague and indefinite to observe no number; for, if prosaic diction be not limited in some manner, there is nothing so disagreeable, so confused, and so difficult of comprehension.

The number peculiar to prose, is that which is called *rythmus*, of which verses are a kind of detached portions. Prose must not abound in numbers, nor be too scrupulously confined to them, as it would, in such a case, be rather deserving the name of poetry.

There are different kinds of numbers: first, the *heroic*, which is sonorous and grand, and ought to be harmonious: secondly, the *iambic*, which is the measure of ordinary language; hence, in common conversation, we frequently utter iambic verses. This is not, however, by any means proper for fine prose, on account of its humility. Thirdly, the *trochæus*, which is only fit for the dance; this may be proved by the sportive and frolicsome measure of *tetrameter* verses composed of *trochees*. The fourth is the *pæan*, which has only been in use since the time of *Trasymachus*, and

was, till lately, scarcely understood. It is a number which should immediately follow the two first of which we have spoken, because its proportion * is as three to two; whereas the *heroic*, which comprises the spondee and dactyl, is only as one to one; and the proportion of the *iambus* and *trochee*, which are both of the same value, is that of two to one. So that there can remain no more than the proportion of two and a half; which proportion is properly what we understand by the term Pæan. All other numbers should

* Here proportion means the relation to time, observed in each number. By *time* is to be understood, the short syllable; two of which are equivalent to a long one. *Aristotle* herein remarks three proportions of metre; first, that of the pæan, which is of three to two; for, every pæan is composed of one long and three short syllables, which is the proportion denominated by *Cicero* *ratio sesquiplea*, or *sesquialtera*; i. e. of two and a half. The second is that of the *heroic* number, which is simply as one to one, and is by *Cicero* termed *par ad par*, on account of there being as much on one side as on the other; whether the proportion be really such as in the spondee, when the relation lies between one long syllable and another, or equivalently so, as in the dactyl, where the proportion is between one long and two short syllables. The third proportion, which is of two to one, is called by *Cicero* *duplex*; and is that which opposes a long to a short syllable, as is the case in the iambus and trochee.

CICERO. *Lib. de Orat. ad Brut.*

With regard to what *Aristotle* says of the trochee being nothing more than a dancing measure, he applies to it the term χορδακισμῶτος, which is derived from χορδαξ, a word implying a lascivious dance. Our language does not measure its prose by any other standard than that of the ear.

be rejected, and the pæan be alone retained in prose, because it is the only number which is least adapted to verse, and which cannot even enter into poetry.

If a person would conceal the artifice and preparation of his language, he should employ this description of number. At the present day we use only one sort of pæan, and this at the commencement of a period; this is not, however, sufficient, as the end should not resemble the beginning of a period. There ought then to be two sorts of pæan, and both opposite; the first to be always placed at the beginning of a period, as is the present usage; of this description the first syllable should be long, and the three last short; as

Δαλρυγενὲς ἔϊτε Λυκίῳ, &c.

"Whether the name of *Delian* please thee best,
Or *Lycian Phæbus* pleases most thy ear."

Χρυσιοκόμῃ ἕκατε παῖ Δίος, &c.

"God of the golden hair, and son of *Jove*."

The second kind of pæan, on the contrary, should have the three first syllables short, and the last long: thus,

Μετὰ δὲ γαῖν ὕδατ' ἰ' ὠκεανὸν ἠφάνισε νύξ.

"The coming night o'ershadow'd earth and sea."

This is the kind which should be placed at the end of a period ; for, as the short syllable is of itself imperfect, and ends too soon, it would give a crippled air to the discourse ; so that, in order to be correct, we should cut the period by a long syllable, which would leave no doubt as to its termination ; and this, without observing punctuation, or the order which is kept in written language, but merely the number and cadence.

CHAP. IX.

ELOCUTION.

Diction must either be unconfined and flowing in one continued connexion, as the *anabola*, and the long train to be met in dithyrambic poetry ; or be limited within certain bounds like the *antistrophe* of the old poets. The first is ancient, and may be even met with in *Herodotus*, who thus begins his History : “ This is an historical exposition composed by *Herodotus*, a native of *Thurium*. †, &c.” Formerly, no other kind of diction

† *Demetrius* asserts, that *Herodotus* was born in *Halicarnassus* : *Plutarch* resolves the difficulty in his “ Book of Exile,” when he says, “ He was really a native of *Halicarnassus*, but quitted that place with some others, and took up his abode at *Thurium*.

than this was used ; it is at present, however, exploded.

Continued diction is that which does not of itself end, except the subject which it expresses, ends also. Now, nothing can be more tedious and disagreeable than this, because all men, upon every occasion, are desirous of seeing an end to a thing. Hence, prize-racers, when they come to a turning, and lose sight of the goal, seem suddenly weak and breathless, which they were not, as long as they had the winning-post in view. The same will apply to *continued diction*.

Limited elocution, on the contrary, consists of periods. By period, I mean that style of diction, which in itself has a beginning and an end, and which may appear great to the sight, without causing any uneasiness to the mind. This is not only pleasing, but also easily understood. It is pleasing, because the uneasiness, created by there being no end, does not exist, and because, on account of the finished sense, the hearer believes that he carries with him something of what has been said. It is easily understood, because it is easily retained, for there is no period without number ; and number, of all things, is that which is best retained. This is the reason why a person sooner recollects verse than prose, because the numbers are precise, as being the standard of measure. We should take good care that the period terminate in sense as well as in number,

and not act, as *Euripides* did, by suddenly and improperly breaking in upon the sense, as in the following line :

“ It is that *Calydon*, a country of *Peloponnesus*.”

Now, a case might occur, wherein, on account of having so improperly cut the period, a meaning may be drawn quite opposite to that of the author; as in the verse we have quoted, which gives room to suppose that *Calydon* was a town of *Peloponnesus*, whereas, in fact, it was situate in *Ætolia*.

PERIODS.

There are two kinds of those, the one composed of numbers, and the other simple. The former may be termed, “ a sort of finished elocution perfect in the sense, distinct in its parts, and easy of pronunciation, even in a breath.” And it is not only easy of pronunciation, because it has parts, or because it is divided as the vicious period of which we have spoken, might equally be; but because of its being taken entire and in its thorough extent.

By *number*, I mean one of the parts of a period. A *simple period* is that which has but one member. As to the precise measure of a period and its numbers, they must neither be too short nor too long; for, the former case would be embarrassing to the hearer, by stopping him at every step, as he expects to go farther, and to find that length which was first portrayed to him. If the con-

trary happen, it will be the same as if a stone which is thrown, meets, in its progress, something against which it is broken. On the other hand, if a period be too long, it is tedious and perplexing; for it is here, as in a promenade, with company, when those who wish to walk further quit the rest, who permit them to proceed. So it is with periods, when they are so long as to be taken rather for an entire discourse, than a simple period. Besides, nothing is more like those tedious *anabolas* of which we have spoken. With respect to persons who affect such length, the same railery may be applied as was used by *Democritus* of *Chios* against *Melanippides*, who, instead of *antistrophes*, composed those long *anabolas*, or *prolongations* of the dithyrambic poets. This railery was founded upon the two following sententious lines of *Hesiod*:

“ He does himself ill, who does ill towards others ;
But every bad counsel is much worse for its author.”

Democritus thus turned them to his purpose :

“ He does himself ill, who does ill towards others ;
But a long prolongation is much worse for its author.”

The same observations will apply to those who make the members of a period too long ; and it will be still worse to make them too short ; as they cannot, in such cases, be called periods, be-

cause they pass away so quickly, as to leave the hearer no time for recollection.

The *period composed of several members*, is of more than one kind: some are content with having those members distinct in themselves and unopposed; and others will have them opposite. Of the former class, the following may serve as an instance:

“ I have often internally admired as well those who have originated such grand and illustrious assemblies, as those who have instituted such celebrated games and bodily exercises.”

The second class arises from a contrary being opposed to its contrary in both members; or when the same thing is joined with two contraries at once; as for instance: “ They have equally profited by one and the other; both by those who have staid behind, and those who have followed them: by the latter, because they have made them acquire more *property* than they had at home; and by the former, because they have left sufficient for an easy subsistence to themselves and their families.” Herein is an opposition throughout all the members, because the word *stay* is contrary to the word *follow*, and *sufficient* is opposite to *more*. The following also may serve as an example: “ So that they have fully satisfied all; both those who only thought of hoarding up, as well as those who wished to enjoy what they possessed.” There is an equal contrariety in

these two members, between the words "hoard" and "enjoy." It may not be amiss to subjoin the following series of similar instances: "It frequently happens in such cases, that persons of the best understanding are the most unfortunate; and that the stupid are successful." "At first they maintained themselves in their country, by their valour, which is the glory of the brave, and shortly after, they made themselves masters of the sea." The following applies to the power of *Xerxes*: "But what is surprising is, that he sailed over land, and marched his troops with dry feet over the sea, whilst his vessels covered the entire *Hellespont*, and pierced through *Mount Athos*." "How is it to be reconciled, that people whom nature has made citizens of the same place, should be driven from it by the law?" "Some have miserably perished, and others have been saved but with shame." "Is it not shameful, that, in particular, we should use the barbarians as slaves? and that, in general, we see a great number of our allies, *Greeks* like ourselves, made the slaves of these barbarians?" "They will either have them living, or will not abandon them except in death." Or finally, as was said in full court against *Pitolaus* and *Lycophron*; "When these persons were in their own country, they sold you; but since they have come to live among us, they have sold themselves." All

these examples are illustrative of opposition between the members of a period.

This manner of elocution is so far agreeable, that, though contraries are well known of themselves, yet they are better known when opposed to each other. In such a case what is said has a kind of syllogistic appearance, and the more so, because the *elenchus* which is the syllogism used in refuting, places its entire *forte* in collecting towards the consequence, those things in which there is a contrariety or opposition. This opposition may be properly styled *antithesis*.

Respecting any other method of forming periods, it wholly consists, either in composing the period of equal members, which is called *pariosis*, or in making the extremes of each member resemble each other in termination, which is called *paromæosis*. The latter happens in two ways, for this resemblance must either be in the beginning of each member, or solely at the end. If it be in the beginning, the entire words must be alike; and if in the end, it will be sufficient that the last syllables resemble each other; or that a noun be put in divers cases, or the same word be repeated: as an example of this resemblance in the commencement of the member, the following saying applied to an avaricious epicure, will serve:

“ The measure of the price took away the pleasure of the taste *.”

The resemblance in the end of periodical members, sufficiently explains itself †. With respect to the repetition of a noun in various cases, it is as if we should say :

“ The most becoming occupations are not always the greatest occupations ‡.”

The following is an example of the same word repeated :

“ For your part, as long as this poor man

* The Greek is,

“ Ἀγρὸν ἔλαβεν ἀγρὸν παρ’ αὐτοῦ.”

“ Agrum accepit ægrum ab ipso.”

“ He got bad land from him.”

The second example, which I cannot render so as to meet the ear in the manner designed by the author, is taken from *Homer*; *δωρητοὶ ἐπίλοστο*, &c. “ Placati donis, pacatique ore fuerunt;” “ They were not only appeased by words, but pleased by presents.” This method of forming periods is peculiar to the *Greek* and *Latin*.

† I have omitted two examples, because, though they are easily rendered in the manner requisite, yet it is not the genius of our language to rhyme in prose. The first of these examples, *ἐκ νόθου*, &c. conveys the following meaning: “ It was not believed that he was really the father, although it was supposed, that, if it were not for him, the child would not have come into the world.” The second, *ἐκ πολλῆς φροντίδος*, &c. “ They had a sufficient portion of chagrin, but very little hope.”

‡ The Greek example, *ἄξιός δι’ εὐδοκίας χαλκός*, &c. conveys this sense: “ You wish to pass for a man of skill, and desire that great honours should be paid you, yet you are but a fool and a scoundrel.”

lived, you always spoke ill of him; and now that he is dead, you betake yourself to writing ill of him." There is nothing to prevent a period containing altogether, equality of members, antithesis, and resemblance of termination. As to what regards the commencement of every period, we have precisely treated of it in our books upon *Theodectes'* rhetoric.

It is to be observed, that there are false as well as true antitheses, witness *Epicharmus*, when he says:

" At one time we were together,

" And at one time I was with them."

CHAP. X.

The Method of saying Things in a sprightly and pleasing Manner.

To attain this address, there is need either of genius or of long-tried practice. Rhetoric, however, teaches and affords the means to do it appropriately. It being fundamentally supposed, " That to learn with facility, is a thing which naturally pleases the whole world;" as words have been instituted to convey some meaning; it follows that the description of words, which gives

some new knowledge to the mind, and teaches what it did not before know, must be particularly pleasing. Hence I infer, that *foreign words* cannot absolutely be considered in this quality, as not being sufficiently known of themselves; neither can *proper words*, because they teach nothing new. *Metaphor*, however, possesses the advantage of producing this effect.

If a man, speaking of old age, should metaphorically call it *straw*; the latter word would convey to our mind, something of which we were ignorant, as it would make known to us two things in their kind, and by the properties common to both. The words *straw* and *old age* are both said of a thing, the flower of which has passed away, and which no longer possesses its former vigour or beauty. Poetic images and comparisons are productive of this effect; because a well-timed comparison possesses much grace and sprightliness; for, as was already observed, every comparison is of itself a metaphor; the only difference being some addition which gives the former characteristic. This is the reason why comparison is not so pleasing as metaphor, because it retards the attention longer, and has the defect of never telling what a thing is, but what it is like; which is not the object of the mind's research, nor that which we desire to know.

From what has been said, it follows, that no one can make any show of those superficial en-

thymems which are known to the whole world, and which need no research, nor of those which, when delivered, are not understood. On the contrary, he should take pleasure in such as without any, or at least with very little delay to the mind, imprint their comprehension; though it were not a knowledge which we had before.

As to what purely concerns the *thought* and meaning of enthymems, what we have said, is the method of rendering them pleasing and estimable in a superior degree to others. The *grace of their expression* depends upon three points; first, upon *figure*, if they contain antithesis; for example: "That which was a peace to all others, those people regarded as the finest opportunity of making war on them in particular." In this example, the word *peace* is opposed to that of *war*.

In the second place, this grace may be met in words, if metaphorically arranged, provided such metaphor be neither too far sought, because it would then be difficult to be understood; nor too common, as it would cease to affect. Finally, a grace is observable when the diction is *energetic*, and sets the thing before our eyes; for whatever is represented in action, is much better seen, and affects much more than what is not acted.

In order to give spirit to what is said, three things are requisite: *metaphor*, *antithesis*, and *energy*, otherwise *painting*. However, as there are four sorts of metaphors, it will be proper to se-

lect those which are analogical; as being the finest, and in the greatest esteem. Of this quality is *Pericles's* metaphor: "That the loss of so many valiant youths in the last battle, was as serious to the state as the retrenchment of spring would be to the year:" or, as *Septineus* said in favour of the *Lacedemonians*, in order to preserve their city, "That such a wrong should not be done as to deprive *Greece* of an eye." The same spirit is to be observed in *Cephisodotus's* remark upon *Chares*, whom he saw endeavouring strenuously to render up an account of his administration to the *Athenians*, though the *Olynthian* war yet continued: not being able to endure such injustice, he spoke thus: "That it was a fine time, situated as affairs were; and keeping the people as if in a furnace †, to wish for an opportunity of making up that account:" or, as the same orator said when he wished to incite the *Athenians* to pass into *Eubœa* for the purpose of forage, "That the decree of *Miltiades* must produce its effect." A similar metaphor is that of *Iphicrates*, when the *Athenians* concluded a peace

† The beauty of the metaphor consists in this point, that as people, shut up in a furnace, give themselves little trouble about any thing else than their means of escaping, so the people of *Athens*, embarrassed as they were by the *Olynthian* war, could not pay the requisite attention to such an account, as they were busied in devising means of extricating themselves from that war.

with the people of *Epidaurus*, and their allies; he said in a rage, "That they may pile up their arms and think no more of war, since they had deprived their army of provisions." The same is to be seen in what *Pithelaus* called the famous *Athenian* vessel named *Paralos*, "The club of the people:" and of the metaphor by which the city of *Sestos* is named the granary of the *Pyræus*. This analogy is also to be met with in *Pericles*, upon the occasion of his advising the destruction of *Ægina*, which he called the "Eyesore of the *Pyræus* †;" because it hindered its prospect. This address is equally visible in the raillery of *Polyeuctes* against a man named *Speusippus*, who laboured under an apoplexy, and was fond of embroiling the state; "That it was extraordinary, a man like him could not be at rest, whom Fortune had arrested by a disease worse than the *Pentesyringos* †." This latter and the apoplexy

† I have here omitted two examples: of the first it would be lost time to speak, as it is a forlorn hope with every one of those who have preceded me in translating this work. The second is contained in a verse of *Anaxandrides*, when he speaks of his daughters as too old to think of marriage. The metaphor is founded upon the word *ἐπιπρόμιτος*, a term of analogy in this place, which properly means a man who suffers judgment to go by default. The poet's meaning is this: "O my daughters! who have let slip the fair day, when *Hymen* wished you to appear in his court, in order to ordain your nuptials."

† This was a certain wooden instrument of punishment, containing five holes, through which the legs, arms, and head

* A beam in the eye - the club, in club,

had both the common quality of preventing bodily motion. We may likewise advert to what was said by *Cephisodotus*, when he called the *Athenian* galleys, "pretty painted mills;" because, among the *Athenians*, criminals were sent for punishment to the galleys in the same manner as individuals send their offending slaves to the mill*. Or, again, as *Æsion*, speaking of the *Athenian* ardour in taking up arms against *Sicily*, and of the great number of men who embarked upon that expedition :

"That they had spread their city into *Sicily*:"

This not only contains a metaphor, but paints the subject to the eye.

It is the same with the following: "So that *Greece* cried aloud." As also with respect to what *Cephisodotus* said to the *Athenians* on account of their seditious assemblies; "They ought to take

of the criminal were so straitly confined, as to preclude their motion.

* I have here passed over the expression used by *Diogenes*, when he reproached the *Athenians* with drunkenness, calling their taverns, *Attica Phiditia*. The neatness of this metaphor consists in understanding the word *Phiditia*, which means those sober public *Lacedemonian* feasts which were of frequent institution. Hence, it is easy to see the analogy; for, what the *Phiditia* were to the *Lacedemonians*, the *taverns* were to the *Athenians*; the difference is in the commendable sobriety and temperance of the one, and the censurable excess and debauch of the other.

care, that each meeting-day should not be a day of battle." *Isocrates* said something nearly similar of those who ran so eagerly to the public assemblies.

In the funeral oration pronounced by *Lysias* is the following fine passage, in point with our other examples: "that *Greece* may with reason go and weep prostrate over the tombs of those who died on the field of *Salamis*, since her liberty was buried with the valour of those illustrious heroes." If he had merely said, "that *Greece* had cause to weep over their tombs, since her valour was buried with so many valiant men," it would be a metaphor, and even a representation to the eye; but in the former passage, by opposing *liberty* to *valour*, an antithesis is produced, which heightens its grace and expression. We may also adduce what was once said by *Iphicrates*: "Gentlemen, the discourse which I undertake will open a road across the great actions of *Chares*." The metaphor is so much finer, as it is founded upon an analogy; besides that the word *across* represents the thing as if it were seen. It would be the same to say, "that, in order to get out of one danger, we should call another to our aid." *Lycoleon*, in his defence of *Chabrias*, made use of the following interrogation: "What, gentlemen! will you pay no respect to this bronze statue, which seems now to intercede in his favour, and

demand his pardon at your hands?" This, at the time it was spoken, was a fine metaphor, though, at another period, it would be good for nothing; and it also blended picture with metaphor: in fact, *Chabrias* being in danger of his life, the orator spiritedly feigned the request of his statue, which was in the presence of the assembly, to the foregoing effect; thus giving animation to a thing which was itself inanimate.

And again, when speaking of the same statue, and of some others, he said, "that they formed the true history of *Athens*, wherein might be found an account of whatever distinguished act was performed in the state." We meet with the following passage in *Isocrates*; "Those people are every day studying, by every possible method, to become more stupid and ignorant than they were." The word *study* is here metaphorically applied; for, otherwise, it is never used but in a good sense, and properly means, the care which a person takes to increase the advantages he possesses, and to become every day more perfect. It is also a fine metaphor to say, "that the understanding of man is a torch which the Deity has lighted up within his soul, in order to guide him through life;" for, both the thing itself, and that which it is compared to, are made to enlighten. The following is an equally ingenious passage: "By this peace, gentlemen, we shall not put an end to the war,

but procrastinate it." The two words, *procrastinate* and *peace*, as it is understood by *Isocrates*, are both applied to the future. It is, in like manner, a happy mode of expression to say, "that treaties of peace are trophies more glorious to a state, than those which are gained in war; for, the latter are, in general, merely founded upon some slight advantage, or trivial success, in an engagement; whereas, pacific treaties disarm an enemy, and never can exist without bringing war to a thorough termination." This metaphor is just; for, a treaty of peace on our side, and a trophy, are equally marks of victory. Finally, it would be a good metaphor to say, "that states undergo no trivial punishment, in committing such acts as give them a bad reputation." The word *punishment* is by so much the more applicable, as it properly means a certain damage which is done with justice.

Thus, have we shown, that the principal grace of diction consists in metaphors of analogy, and pictural representation.

CHAP. XI.

Of ENERGY and PICTURE in SPEAKING.

We now come to what is necessary, in order to represent things by language, as if they really appeared before our eyes. Every expression, in the first place, which marks the action, will possess this quality together with that of energy. Thus, to say simply of a good man "that he is a firm *square*, and an immovable *cube*, which always rests upon the same base," is certainly metaphorical, since the two marked expressions make known a theory which is perfect in its condition; however, there is nothing in such phraseology which is energetic, or marks the action. These qualities may be instanced thus: "Not a man of my age, and broken down as I am, but a man in the vigour and flower of his age." Or, again, if we should say of a man, "He is a true horse let loose." Or, as *Euripides* says,

"The *Greeks*, without delay, now darted forth."

Iphig. in Aul.

For the word *dart* both marks the action and constitutes a metaphor.

In several places, *Homer*, by the help of metaphor, gives life to things inanimate. And in fact,

to give action to a thing not possessing it, is peculiarly graceful, and always held in esteem, as in the following lines, where *Homer* represents that troublesome stone which *Sisyphus* could not roll forward without its again recoiling :

“ Though to the summit it has now attain’d,
And the poor wretch his every nerve has strain’d,
The stubborn rock rolls back, defeating what he gain’d.”
Odyss. 11.

The same poet, speaking of an arrow which had been discharged, says,

“ Forth flew the arrow from the sounding bow.”
Iliad 13.

And again, of the same instrument,

“ Impatient to arrive, and strike its aim.” *Ibid.*

As also,

“ While the fix’d lances bristling from the ground,
Seem’d breathing blood and carnage all around.”
Ibid. 11.

In another passage are the following lines :

“ The hostile dart which thirsted for his blood,
Transpierc’d his side with fury, as he stood.” *Iliad 15.*

As the poet, in all these examples, has spoken of things as if they were really animated ; so it

seems as if they acted of themselves, or tended to some action. The word *stubborn*, which is applied to the stone, and the epithet of *thirsty*, applied to the dart, as well as all the other epithets, imply so many actions which proceed from things having life. The poet, with his peculiar skill, knew how to use them metaphorically, in an appropriate manner, on account of the analogy which is to be found therein; for it may with truth be said, that what the stone does with regard to *Sisyphus*, the stubborn man does with regard to the person whom he thwarts. The same poet does not fail to do the same thing in his finest comparisons, which are drawn from inanimate objects; as thus:

“ The winding billows, white with foam, and hoarse,
Recede, and flow again, impetuous in their course.”

Iliad 13.

Homer is peculiar in animating and giving action to whatever he describes, and with reason; for, as poetry is purely imitative, so there is nothing more proper for representing a perfect imitation than action.

In order that a metaphor be good, as we have already observed, it should be drawn from things which approximate, provided they be not too well known, but almost in the same manner as in philosophy, when seeking for some resemblance.

It appertains solely to persons possessing a depth of mind to seek a resemblance in remote things: as for instance, when *Archytus* maintained, "That there was no difference between an arbiter and an altar, because both served as an asylum to the distressed." Or again, as if we should say, "that a ship at anchor and a pot-hanger are the same as to use; because one is made to hold by an upper direction, and the other by a lower one." Or if, in speaking of cities, it should be said, "that they may be equalled." This is indeed finding a resemblance in remote things, by so transposing the word *equal*, and making it pass from the consideration of surface to that of power and authority. Upon the whole, the greater number of appropriate and spirited expressions depend upon metaphor, as well as upon a certain skilful mode of deception, whereby the mind is surprised into the act of taking one thing for another; because, by this deception, it acknowledges to have learned something more evidently, as it seems that it was quite the contrary of what it at first imagined: for example, if the mind were thus to soliloquize: "Really it must be thus understood, and I have been mistaken in considering it otherwise." Those *apothegms* will be the most graceful which cause things to be understood quite contrary to their literal signification: such as the following observation of *Stesichorus*, to the *Locrians*, in order to deter them from entering upon a

war: "If you resolve upon it, the grasshoppers will soon chirp upon the bare ground." Well-formed *enigmas* are also very pleasing, for similar reasons; for, besides their conveying the knowledge of a thing, which we were not before acquainted with, they are also metaphorical. There is in like manner a gracefulness in the method which *Theodorus* teaches, viz. that of *saying novel things*. This is the case, when what a person says is surprising, and as it unfolds itself, when it turns out contrary to expectation, as may be seen in ridicule, if a word be altered never so little. All kinds of raillery, founded upon any allusion, produce a similar effect; for, it is deceptive even in verse; because what is said there, is nothing less than the hearer first thought or imagined would be said, as in the following line:

"In his ranks were mules, obedient to the spur *."

A person would not expect to hear of such a description of mules, but rather, perhaps, would imagine, that the words conveyed the meaning of some kind of shoe or sandal. If we express things thus, they should be instantly understood, or they are of no avail.

Graceful *allusion* consists not in saying what is

* The original Greek words convey either the meaning of the word *sandal*, or *mules who obey the heels*.

apparently expressed, but what the word, upon which the allusion is founded, means.

We shall instance this in what was once said in raillery by *Theodorus*, to a certain instrumental musician named *Nicon*: “*θραύττει σε.*” It would at first seem that we should literally interpret it, “He troubles himself.” Herein, however, is the deception; for quite a contrary meaning is attached to it. The expression pleased those who understood it, namely, because this musician was the son of a Thracian woman, who was a slave. It is the same with this allusion, *Βελεῖ αὐτον Περσαί**.

The application of an allusion should be just in both its meanings.

Equivocal words are also graceful. Thus with respect to the word *Ἀρχή*; which signifies *command* as well as *beginning*, it has been said,

“*Ἀθηναίοις τὴν τῆς θαλάσσης ἀρχὴν, μὴ ἀρχὴν εἶναι τῶν κακῶν,*” &c.

“The command or empire of the sea was not the origin or beginning of all those misfortunes which befell the *Athenians*, as is pretended, because they succeeded in their maritime enterprises.” Again, as *Isocrates* has employed the word against the *Lacedemonians*, when he said,

“*Ἀρχὴν τῇ Πολεὶ, ἀρχὴν εἶναι τῶν κακῶν.*”

* The meaning of this is not to be found in any translator of, or commentator upon, the work. We know that the word *Περσαι* is derived of *πέρθω*, to *ravage* or *destroy*, and that the allusion is probably addressed to a man of the Persian country.

"That their dominion or command in the state was the origin of all their misfortunes." In both cases, the thing which was unexpected, was that which was meant to be expressed, and which afterwards turned out true. Had those equivocal terms been used only with one signification, no art nor finesse would be necessary; for instance, in saying "the command of the sea is a command," &c. The proper use of equivocals, and also of metaphors, is what constitutes their beauty. The following are other examples, of a different cast: for, instead of playing upon an equivocal term, it is denied that there is any equivocation in the word. Thus, with regard to a backbiter, it has been said,

"Though he has been called mule, yet he is not too mute *."

And again, "the man who is named *Anaschetos*, is nothing less than *Anaschetos*," which term implies the idea of insupportable. In such cases, in order that a thing be gracefully expressed, the same word must be repeated twice, as in the example adduced, as well as in the following:

"If you would be a soldier, you must live as a soldier.

"To be a soldier does not always make a man more a soldier.

"If you are a stranger in a house, you need not live so much like a stranger.

"If you be a stranger within, you will not, on that account, be treated the more as a stranger."

* I have added this example, as well as the next but one, in order to facilitate the meaning of those which *Aristotle* adduces.

The same term, which is repeated in those cases, contains more than one meaning. We meet with this grace of expression in the so much commended observation of *Anaxandridas*, "that it is a fine thing to die, before we have done any thing which merits death." This is the same as saying in other words, "that it is just to die, provided it be not just that we should die:" or, "that a man is worthy of dying who is not worthy of death; i. e. who has done nothing which merits death." All this is one turn and one mode of expression. But what accomplishes the grace of diction, is brevity, and the opposition of its parts, because it is better understood through the latter, and easier through the former.

Of fine sentiments we must observe, that they should be adapted to the person of whom we speak, and be also happily expressed, at least if we wish that such sentiments should pass as true, and not as common and airy remarks.

These two conditions are not always to be found together, for one sometimes exists without the other. If a man should simply say, "that it is just the time to die when a man has committed no evil," the sentiment, without doubt, would be fine, and even the same as that which we before advanced; but then it would not be gracefully expressed. To say, "that a maid of quality should not ally herself, but with a man of her own rank," would be a good precept of advice; but then an expression

of this kind would neither affect nor please as we intended. If, however, the expression be fine, and the sentiment adapted to the person, then there is a thorough grace in what is said. For instance, "that it is never more just to die than when it is not just that we should die."

In order to show that a man can never take too much pains in his elocution, I shall observe, that the more it partakes, in addition to those latter qualities, of the different ornaments we have heretofore laid down, the more graceful it will be: for instance, if its expressions be metaphorical and analogical, if it contains antithesis, and equality of members, and if the sense be energetic and full of action.

It cannot be doubted, but that *images* or *comparisons* are highly graceful, as in some manner we have shown, that they rank among the most perfect and excellent metaphors, because they are founded, like the analytical metaphor, upon two things of equal relation. We know that every metaphor has not an analogy, and that there are some simple ones. For instance: if we were to say, "that *Mars's* buckler is his bowl," or, "that a bow is an unstrung harp," the expression is not simple, but includes a double meaning, which is the object of comparison. On the contrary, to say, "that a bow is a harp," or, "that a buckler is a bowl," would

be to express a simple metaphor, and such as will never be met in good comparisons. Sometimes, however, comparisons of another kind are made; for instance: "that a flute-player is like an ape, on account of the gathered-up posture of both*." If a comparison be intended to be well made, it should be metaphorical; for, it is a fair comparison to say, "that *Mars's* buckler is his bowl;" or, "that the rubbish of a house is its torn garment;" or, as was said of *Niceratus*, "that he was *Philoctetes* bitten by *Pratys*†." This latter comparison *Thrasymachus* made use of, when he saw *Niceratus* with his hair quite disordered, and his person entirely in dishabille, because *Pratys* had borne away the prize for poetic recitation from him.

Our comparisons must be just; for, of such consequence is this, that nothing renders a poet more ridiculous than such a defect, however skilful he may be in other respects. An instance of this defect may be thus shown:

"His legs are as crooked as parsley;"

* There is another example in the text which I have not found it easy to explain to my own satisfaction; it is this: "that a blear-eyed man resembles (as some will have the reading), λυχνειμαζόμενος, i. e. a dropping candle; or (as others maintain), λύκη ἀκαθόμενος, i. e. a wet wolf."

† This metaphor is founded upon the adventure of *Philoctetes* being bitten by a serpent.

Or,

“ Like *Philammon* and *Corycus* * together,
When under the same yoke they kick'd so well.”

These, it is true, are comparisons, but then they contain nothing metaphorical.

Proverbs are also metaphors; but metaphors of such a nature, as that they pass from one species to another; as if a person, for instance, in the hope of profiting by it, should convey to his house a thing, which afterwards proved very injurious to him, and this observation were made:

“ It is *Carpathus* with its hare.”

For then the proverb is metaphorical; as the adventure of that man would resemble what happened to the people of *Carpathus*, when they wished to have hares in their island.

There is no doubt, that hyperboles, when fine, are metaphorical; for instance: what was expressed on the occasion of seeing a man whose face was entirely studded with pimples: “ You

* It is supposed that these were two noted wrestlers. With respect to *Corycus*, however, *Riccoboni* adduces an explanation taken from *Mercurialis*' Second Book *De Art. Gymnast.* where it is shown that *corycus* was a kind of ball, which, in academies, was used to be fastened to a plank with a cord, for the exercise of the youths.

would have sworn, if you saw it, that it was a basket-full of mulberries." What constitutes the resemblance is, that all pimples which appear on the face are red : in the above observation, however, there is something excessive. An hyperbole may be made a comparison by simply adding the necessary particles, "just so," "in the same manner," &c. There are many comparisons so made ; the difference between them and hyperbole only lying in the character and manner of expression ; for instance : " Like *Philammon*, &c." If we change the character of this, we make it a comparison ; such as, " If you had seen him, you would have sworn that you saw *Philammon* wrestling with *Corycus*." The other line, " His legs, &c." is a comparison ; but if expressed in the following manner, it is a pure hyperbole : " For my part, I did not think he had the real legs of a human being, but that they were of parsley, expressly made for him, so crooked were they." Upon the whole, however, hyperboles, be they never so good, are puerile, because the diction proceeds to excess ; wherefore, in *Homer*, we find them principally in the mouths of people who are enraged. For example :

" Not though he counted out his golden store,
Beyond th' unnumber'd sands upon the shore."—*ILIAD* ix.

And in another place,

“ Your monarch’s son-in-law I ne’er shall prove,
E’en though the bride outshone the Queen of Love,
And equall’d *Pallas* in her mental charms.”

I confess that in *Athens* this figure is in great demand, and is in common use amongst orators; but, however, it is not adapted to all kinds of persons: for, nothing is so unseemly in the mouth of an old man as hyperbole.

CHAP. XII.

The two Kinds of ELOCUTION.

To every kind of discourse there is an appropriate diction; for, a great difference subsists between language, which is composed only to be simply read, and that which is made for recitation: also a considerable difference between the pleader’s style, and that of an harangue addressed to the people, or to a numerous assembly. These two distinctions of writing and speaking, are what we are now to inquire into.

The elocution which regards action, consists in speaking one’s language purely. The other

consists in providing against any constraint, imposed by a lack of expression, when we have any thing which we would send into public ; this is a difficulty in which bad writers are frequently involved. The style of diction intended to be read, must be very precise. The other, which is merely intended for recitation, attends to action alone ; of which latter kind, there are two sorts : one which studies the display of manner, and the other which is pathetic. Hence comedians are particularly eager after those works wherein either of these two characteristics is illustrated ; and the poets, on their part, select such comedians as give an effect to their productions by the success of their representation, and manner of acting.

The other style, which applies to permanent writings, bestows a reputation upon those poets who are distinguished in it : such as *Cheremon*. This poet is as precise in his diction, as the most scrupulous of our prose authors. *Lycimnius*, of all the dithyrambic poets, is the first with regard to this quality. The great difference of both styles will appear if we compare them together ; for, if we recite any of those discourses which read so well, nothing will appear so dry or barren ; and nothing is more flat than language which receives its ornament from being well recited, if we take it to our closet and read it. Language of this latter description is fitted

for action alone ; so that, if it be separated from this, it loses its effect, and appears ridiculous. This may particularly be remarked in the *asyn-theton*, which means language or diction, wherein conjunctions are not used : this cannot reasonably be suffered upon paper, any more than a frequent repetition of the same thing. Nothing, however, is more applicable to action ; wherefore, every orator makes use of it. In a repetition of the same thing, we must take care to vary and alter the terms as often as we do the manner of speaking ; as nothing is so strong an auxiliary of action ; for instance :

“ It is he, gentlemen, who has robbed you ; it is he who has deceived you ; it is he, in fine, who has done every thing in his power to betray and deliver you over to your enemies.” For other instances of such repetition, we need only recollect what we have seen *Philemon* the comedian do in *Anaxandrides*’s piece entitled “ Gerontomania, or the Old Fools,” when *Rhadamanthus* and *Palamedes* appear upon the stage ; or, again, in the prologue to the piece called “ The Devotees ;” where the word *I* is so often repeated. He who should not animate this by action, would be guilty of as much awkwardness, as if he carried a beam, according to the old proverb. The same thing is to be understood of conjunctions ; for instance : “ I arrived upon the spot, I addressed him, I besought him, &c.” This should

not be pronounced altogether in the same tone, as if it were the same thing.

If we omit conjunctions, it will appear as if we said many things at once. In fact, as it is the province of a conjunction to make but one thing of many, if we omit it, the contrary will happen; that is, of one thing we shall make several. Not to use conjunctions is a species of amplification, as may be thus instanced: "I went to him, I made him understand the matter, I besought him;" for these seem to be several actions done at one time. Again, in the following example: "But, gentlemen, whatever I can say to him, whatever I may remonstrate with him upon, it seems that he holds in no account." *Homer* had certainly this in view when he speaks of *Nireus* in the following manner:

"*Nireus*, a native of the *Samian* isle."

"*Nireus*, *Aglaia's* son."

"*Nireus*, beauty's self."—*ILIAD* xxii.

A great deal cannot be said of a person unless he be frequently named; and if we say little of him, yet mention his name frequently, we shall seem to have said a great deal concerning him. *Homer*, who was thoroughly versed in the effect of this deception, has, in the foregoing instance, managed so well, that the only time he mentions *Nireus*, renders the latter remark-

able, and preserves him in the recollection, though, throughout the remainder of the poem, we hear nothing further of him.

Each of the three rhetorical divisions has its appropriate style of diction. The style adapted to deliberative rhetoric, closely resembles those shaded paintings, which are seen to more advantage at a distance, the coarser and more confused they are. Precision in this style is not only unnecessary but culpable.

The diction of judiciary rhetoric ought to be more exact and more laboured; and this in a greater degree, when we appeal only to one judge, than if we were to do so to several; for, in this case, rhetoric being straitened, its modes of address are of very little use: as it is easy to observe whether what is said be applicable to the cause, or not. Besides, in judiciary rhetoric, matters are taken up calmly, and without heat; which is the reason why judgments of this kind are much more refined and juridical than others.

Thus, then, it is evident, that every kind of diction is not adapted to every kind of discourse; there being one adapted for action, and another for the purpose of being read: Hence the reason why orators who excel in one, do not in the other. It is principally when there is need of extensive action, that the diction should be less precise, particularly upon occasions of addressing a mul-

titude, when the voice must be pitched to an extraordinary key of elevation.

The diction of demonstrative rhetoric being principally made in order to be read, is the most exact and proper to appear upon paper; and, next to this, as to the same qualities, is the diction of judiciary rhetoric. It would be superfluous to add, as some people will have it, another item to the division we have made; viz. "that the diction ought to be pleasing and magnificent." We might as well say, "that it should be *sober, liberal*, or partaking of those other virtues which regard the manners of men." In fact, supposing *that it should be pleasing*, there will be nothing wanting of what we have stated to be necessary, in order to render it perfect, if the definition which we have given of its true perfection has been well established; otherwise, where would be the use of asserting that it ought to be clear, should contain nothing superfluous, and ought to be adapted and proportioned to its subject? If there are too many words, the thing will not be clear, any more than if there are too few. Mediocrity should be the line whereon to move towards correctness in these particulars. What we have said in another place is perfectly sufficient to produce the agreeable method in question; for instance, if we know how to make an appropriate and becoming combination of what is commonly used, with

what is strange or foreign; as also, if number be a quality to be found therein, together with a requisite decency, and the presence of those characteristics which are suited to the speaker.

So far for elocution, as applying in the several ways we have laid down. We now come to

THE PARTS OF A DISCOURSE.

CHAP. XIII.

EVERY discourse, if properly considered, has only two parts: viz. the *proposition*, and *proof* of the subject-matter. They are also termed the *question* and the *demonstration*; and, though I am perfectly aware that the present division is far otherwise, yet, I am convinced, that to assert the existence of any more parts is ridiculous. For, in the first place, *narration* never takes place except in judiciary rhetoric, it being impossible that it should enter into the construction of a deliberative or demonstrative discourse. The same may be observed of that other part, which, those who insist upon a more complicated division, consider as necessary; namely, the mode of answering and refuting an adversary's reasonings, as also the peroration

upon the subject of panegyric. I must, however, confess, that *exordium* sometimes takes place in the deliberative part of the art, as well as an opposition between one's own reasons, and those of the adversary; and I will further concede the presence of recapitulation; but this never happens unless there be a pre-formed disputation of the matter; for, even upon deliberative occasions, it is not a novel thing to perceive frequent disputes and mutual recriminations between different parties. These disputes are not necessarily created by deliberation: in fact, they are only to be now and then met with. Neither is *peroration*, with respect to judiciary rhetoric, by any means necessary to the pleader upon all occasions. It may, for instance, be dispensed with, if the discourse be very trivial, and the subject of such a nature, that it can be easily retained.

The practice of recapitulation has been solely introduced for the purpose of refreshing the memory, and giving a summary view of what has been said in detail. Absolutely speaking, then, the division of a discourse into its essential parts, is as I have said. The others which may be added, cannot make them amount to more than four in the whole, viz. *exordium*, *proposition*, *proof*, and *peroration*.

The reply to an adversary is embodied in the proof, and cannot form a distinct part any more

than the allegations which are made upon comparing his own reasoning with that of his opponent, because this latter method of speaking is a mere amplification of what has been already said, and he who uses it does so merely in order to establish his proof more strongly. This is not the case with exordium, or peroration, which have each their separate functions; the first being instituted in order to prepare the judge for what is to be said, and the latter in order to confirm his recollection.

Those who make any farther division in respect to the parts of a discourse, resemble the followers of *Theodorus*, who, not content with admitting *narration* as a branch of division, attach two other parts, connected by the circumstances of position, namely, *præ-narration* and *post-narration*. They, in like manner, pretend, that refutation should have another part growing out of it, by way of enhancing it. It is, however, mere emptiness and trifling to impose new names, without proving that there are new species, or alleging essential differences, neither of which have been established.

Lycimnius, in his rhetorical treatise, speaking of proof, divides it into a number of the most absurd and frivolous parts, to which he assigns different names, calling one *irruption*, another *digression*, others *branches*, &c.

CHAP. XIV.

Of Exordium.

This is the commencement of a discourse, resembling what, in poetry, is called *prologue*, and in instrumental music *prelude*, or *overture*. It is, as it were, the opening of an avenue, in order to proceed forward upon our destination. Nothing bears a stronger resemblance to the exordiums which are used in demonstrative rhetoric, than the prelude of those who play the flute in concert; for, if they are acquainted with any one piece of music better than another, they do not fail to use it as a prelude, and to pass insensibly from it to the piece with which they open their concert. So, in demonstration, the opening matter will be always well received, provided the speaker possesses sufficient address to pass thence to his subject, and introduce it seasonably. This is the constant practice; in example of which I may cite the exordium of *Isocrates*' panegyric upon *Helen*. What he says against sophistry is not common to his subject, which is an encomium upon *Helen*; yet, by this deviation from it, he derived the advantage of avoiding uniformity, and diversified his language.

The exordium of demonstrative rhetoric may

be indifferently founded, either upon invective or encomium. Upon the latter, as in *Gorgias's* oration, entitled the "Olympic:" "Persons of this description, gentlemen, are worthy of admiration, and undoubtedly merit a very particular eulogy." Herein his praise was addressed to the founders of such celebrated assemblies and public games. On the other hand, *Isocrates*, in his Panegyric, blames those same founders for having proposed prizes for mere skill in bodily exercises, and having neglected men distinguished for strong mental qualifications.

Some commence their panegyrics, as if they were giving advice—for instance, the following: "As there is nothing more just, and to which we are more obliged, than to honour great and virtuous men, for this reason I at present undertake to eulogize *Aristides*." Or in this: "The persons whom we are bound to praise cannot be either those who are depraved, or such as are universally eulogized by the world; but those who, having been men of honour, throughout their whole lives, are not recognised as such, and whose virtues dwell in obscurity, as may be instanced in *Paris*, the son of *Psiam*." This is, properly speaking, advice upon the subject of praising a person. In demonstration, also, one might imitate the forensic method of using things which concern the hearer, as in forewarning him that the matter is incredible, difficult, or too com-

mon, so as to excuse it, as *Chærilus* does in the commencement of his poem :

“ But now, as others have review’d the whole.”

The exordiums of demonstrative rhetoric are derived, then, from five sources : *praise*, or *censure* ; *persuasion*, or *dissuasion* ; and, finally, the *hearer’s concerns*. In all cases we should take care, that what is preliminarily said, be either quite applicable to, or quite remote from, the subject. The exordiums of judiciary rhetoric produce the same effect as theatrical prologues or prefaces to epic poetry : for, in lyric or dithyrambic poetry, the commencement resembles the exordium of demonstrative rhetoric, as in the following example :

“ For thee, *Bacchus*, alone, for thy gifts, for thy prey*.”

Now, in the drama and *epopea*, the exordium always acts as a beacon, to show that those things which are to be said, have been, in order that the hearer may anticipate the knowledge of the action, and may be removed from suspense ; for, there is nothing so importunate as a vague and indefinite discourse, which leads the mind out of its proper path. Now, a commencement or exordium serves as a clue, which is held by

* The original is herein lost to us, as to the continuation of the example.

the hearer, in order to guide him through the dangers of intricacy. Hence *Homer*, in all his poems, and particularly in the *Iliad*, says,

“ O Muse, relate to me *Achilles’* ire, &c.”

Another poet thus commences,

“ Another favour, Muse, I pray, rehearse,
The mighty wrath with jealous feelings mix’d,
Which arm’d all *Asia* against *Europe’s* sons.”

The tragic poets observe the same thing in their pieces; and though they do not always, in the commencement, like *Euripides*, yet they introduce it in some part of their prologue. For example, in *Sophocles’ Oedipus*,

“ *Polybius* was my sire, &c.”

Comedy is equally observant of this manner of introduction. Evidently, then, the most necessary and peculiar function of exordium consists in making the hearer acquainted with the subject of every discourse, as well as the end which the speaker has in view.

If a matter be brief, or sufficiently clear of itself, there is no need of an exordium. As to other matters, which are merely an occasional remedy or aid to the exordiums of judiciary rhetoric, and which are also common to every part of a discourse, they are derived circumstan-

tially, either from the speaker, the hearer, the subject, or the opposite party. They arise from a consideration of the speaker or his adversary, when they serve to justify one crime, or to convert it into another. The manner of doing this is, however, different in those persons; for, the defendant should, in the very first instance, say what may serve in his justification. Whereas the accuser should reserve himself for the end, and not employ his invective, except in the perorations. This is evidently reasonable, because the accused, in order to re-establish his reputation, and insinuate himself into the mind of his judge, should endeavour to remove every embarrassment in his way; so that he must *immediately* attempt a self-vindication of the crime alleged against him. Now, the accuser's time is quite different, in order to give the judge a stronger and more impressive recollection of the invective which he has uttered.

The matters which regard the hearer, that is to say, the judge, consist, on one side, in gaining his good-will, and, on the other, in whetting his resentment against our adversary; sometimes in calling his attention to, and sometimes in diverting it from, the subject. It is frequently injurious to the pleader that the judge should be marked in his attention; and hence there are so many advocates, whose sole endeavour is to provoke the judge's laughter by something of an amusing nature. As to rendering the hearer tractable and

ready to accredit what has been said, we must also endeavour that he shall stand well in his own opinion, by complimenting him with the appearance of an honourable man.

An advocate, who acts thus, will be very complacently attended to. The hearer's attention will be enforced by the promise of saying important things; things which particularly concern him, which are marvellous, or replete with pleasantry. To this end we should first advertise our intention of addressing such things to him. If, on the contrary, we wish him not to be attentive, it is only necessary to caution him that the matter does not deserve a hearing; that it does not concern him, or that it is particularly tedious. Now all this is inapplicable to the object itself; for, this is supposing that the judge, who listens, is not as he should be, but inclined to lend an ear to whatever is said. If this were not the case, all exordium, except that which the subject renders necessary, would be useless; and even in this case of necessity, it should be summary, that the discourse may not appear lame, or like a body without a head.

Those persons are much mistaken, who suppose that the address of exciting the hearer's attention, principally appertains to the exordium. So far from this being the case, it equally pervades every other part of a discourse, as the speaker is at liberty to make use of it upon every occasion,

where it seems requisite. Indeed it is a fact, that the hearer generally evinces more symptoms of tedium and inattention in every other part than the commencement ; so that it is ridiculous to insist upon the necessity of labouring to gain attention at a period when the hearer is, from motives of curiosity, most inclined to bestow it. Whenever an appropriate occasion for exciting attention presents itself, the following method may be resorted to with advantage :

“ Gentlemen, I have to intreat your attention to a subject which is not so closely connected with my interests as with your own.” Or: “ I beg you will lend me your attention ; for, never in the course of your lives have you heard of a thing so strange or so wonderful as that which I am about to relate.” This is the method understood by *Prodicus*, when he relates, that, if his hearers slept, he had nothing to do, in order to awaken them, but to introduce somewhat of that curious question, the solution of which he was not in the habit of teaching for less than fifty drachmæ. It is not difficult then to concede that exordium has been made with a view to the hearer alone, considered as such ; for, whatever is contained in it is simply confined either to impressing a bad opinion of one’s adversary, and rendering him odious, or to making the judges see that the guilt of the accused is not established, and that he conse-

quently has nothing to fear from their judgment.
Hence *Sophocles*, in his *Antigone*, says,

“Sire, I shall tell you, but not with what care,” &c.

And *Euripides*, in his *Iphigenia*,

“What need of preface or of long preamble?”

The other persons who commonly use exordiums, are such as either really, or in their own belief, have a bad cause; for the best thing they can do is, rather to confine themselves to speaking of any thing than the subject before them. Hence, servants who have been guilty of any misdemeanor, never make a direct answer to the questions which are put to them, but take a circuitous method of accounting, and enter into long preambles, which have no visible tendency.

We have already discussed the means of acquiring a hearer's good-will and favourable opinion. There is nothing, however, so judicious as what *Homer* puts into the mouth of his hero, *Ulysses*, when the latter invokes *Minerva*:

“Grant, goddess, that in the *Phæacian's* mind
I may or favour or compassion find.”

For this reason, in speaking before judges, two things must be attended to, the excitement of their pity, or the attainment of their affection. The address which should be used in exordiums

of the demonstrative kind, consists in inducing the hearer to believe that he participates in the praise which is bestowed upon others, whether he be, at the time, either affected in something relating to himself, his family, or his profession. Hence, what *Socrates* says as represented by *Plato*, is very true, "That nothing is so easy as to praise the *Athenians*, when speaking to *Athenians*; and nothing more difficult than to do the same if the *Lacedemonians* be the auditory."

As deliberative rhetoric has no exordiums of its own, it borrows them from the judiciary branch of the art. In deliberation, the hearer needs no exordium to acquaint him with the subject; so that, if exordium is to be used by the speaker, it must be either in his own consideration, or that of the persons who oppose his assertions, or, because things are not apt to be taken in the light he should wish, whether less or greater than they really are; so that, when this is the case, he must come to the issue of accusation or defence, the aggravation or diminution of matters. In this division of rhetoric, exordium may also be employed as an ornament or improvement to the discourse, for fear that, if it be without any, and the subject be too soon entered into, the speaker may appear precipitate. This is pretty nearly the fault committed by *Gorgias*, in his panegyric upon the *Elians*, wherein, without any preparation of their minds, he suddenly exclaims, "O *Elis*! happy city," &c.

CHAP. XV.

MEANS of DEFENCE *against* ACCUSATION.

1. One mode of clearing a person from the charge imputed consists in a recurrence to such things as obliterate the bad opinion which is entertained of them, no matter whether that opinion be created by the invectives of an adversary, or whether it proceed from any other quarter. The precept is general, and allows no restriction.

2. The second method consists in making the same reply as upon contested subjects, when a fact is not well established : for instance, by asserting " that what is advanced is not true : " " that the thing injures no one : " " that the plaintiff has no interest in it : " " that the evil is not so great as is represented : " " that there is either very little or no injustice in it : " " that in what has been done there was nothing shameful nor dishonourable : " and, finally, " that it is so unimportant, as not to be worthy the trouble of speaking on." These are the ordinary allegations in disputes. Thus *Iphicrates*, in defending himself against *Nausicrates*, agreed with him, that what he said was true, and that he had done him wrong ; but, at the same time, he contended that he had only done what he ought to do. A reply of another kind may be made, by showing that there has

8. The eighth mode consists in seeing whether the matter in question has not been already decided. *Euripides* adopted this method against *Hygienon*, who, under the pretence of an action of *Antidosis* *, followed up a criminal charge of impiety against him, for having inculcated perjury, in one of his pieces.

The accusation was founded on the following line,

“ I swore in word, but not in thought.”

IN HIPPOCORONATO.

Euripides' justification was comprised in the following reply: “ That *Hygienon* was full of law chicanery, and that he designed, by this prosecution, to injure the gentlemen who were appointed stewards of the *Bacchanalian* games, by thus bringing into court matters upon which it had previously passed its judgment: that he, *Euripides*, not only knew how to account for the charge in their assembly, but that he was also willing to do it in case the prosecutor should lay his action before them.”

9. The ninth method consists in dropping the subject, and rebutting the calumny, by showing, in general terms, what it is, and how dangerous to be listened to: as also, that it deranges the order of judgments, and that it is never resorted to, but when the cause is incapable of bearing the person out.

* See *Budeus's Commentaries*.

10. Another mode, which is equally useful in accusation and defence, consists in having recourse to certain marks or appearances. This mode may be found in the *Teucer*. For, when *Ulyses* wishes to show that this prince is unworthy of confidence, he alleges nothing further in proof than "that he was nearly allied in blood to *Priam*, as being the son of *Hesione*, that monarch's sister." On the otherside, *Teucer*, in rebutting those suspicions, employed the following apparent reasons: "First, because he was the son of *Telamon*, *Priam*'s most inveterate enemy: and secondly, that it may be recollected in how many instances, he had given proofs of his fidelity; and above all, that, when sent as one of the spies to *Troy*, he did not betray the secret with which he had been intrusted."

11. The eleventh mode, which is *merely appropriate to accusation*, consists in praising, at the outset, some trivial circumstance in the person of the accused; and afterwards going, at great length, into invective against him: as also, if there should be any greatly commendable quality, to dwell very lightly on it, and in the fewest possible words. This object may also be accomplished in a different manner, viz. by adducing a series of good acts, which the accused may have done, but which do not apply to the subject; and immediately after, to cite some considerable quality, which will be very important to and bear strongly on the case. These are the most subtle,

and at the same time the most malicious modes of address to be found in all rhetoric ; for, by artfully mixing the good with the evil, it will be extremely easy to make use even of a person's commendable qualities to his prejudice.

12. As the same action may arise out of different motives, and have a relation to several ends, there is a *twelfth mode* of address equally serviceable to the prosecutor and defendant ; but with this difference, that, as the former should always speak ill of his adversary, so he will interpret every thing coming from him, in a bad sense. Now, on the contrary, the defendant will come to be taken in good part, and will interpret as favourably as possible, whatever of his words or actions are made the subject of a charge against him. For instance, if the question were to turn upon the choice which *Diomed* made of *Ulysses*, as a companion in a certain enterprise, the person speaking on behalf of *Ulysses*, should say, " that *Diomed* selected him, because he was perfectly convinced of his valour, and was assured of his being one of the greatest captains of that day." Now, on the contrary, he who would dispute that choice, taking the worst side of the matter, should urge, " that, so far from *Diomed* entertaining such an opinion of *Ulysses*, he only preferred him to others, on account of his inferiority to those who offered themselves, and was consequently glad

that, on so important an occasion, he was freed from all apprehensions of a rival participating in his glory.

CHAP. XVI.

Of NARRATION, and the Mode of using it in each Kind of RHETORIC.

This never occurs through one continuation, in demonstrative rhetoric, being only to be found by starts and portions. For, as praise is founded upon those acts which a person has done, we should dwell on, and take them into consideration successively. Every panegyric is composed of two parts; one is independent of the orator's artifice, and comprises human actions, because it cannot be said that the orator is the cause, in any manner, of such actions as he praises: while the other solely depends upon his address, and borrows every thing from art. This latter part consists in showing, either "that such a particular action has been done, provided it is difficult of belief;" or, "that it is such as is represented," or "considerably beyond the extent asserted;" or, finally, "that it comprises all those qualities together."

It is not necessary to go through a narration altogether at one time, for two reasons: first, because it is a matter of embarrassment, and of difficult retention, particularly when we come to sum up in proof: "By these actions, gentlemen, you may discover how prudent he was; by those, how valiant; and by those others, how attached to justice," &c. The second reason is, that a discourse, so conditioned, would appear simple; whereas, in another manner, it would be diversified, and have the advantage of a greater body.

Between known actions and those of a different case, there is this difference, that, with respect to the former, it is alone sufficient to refresh the memory of them; and hence, with regard to several persons whom we may have to praise, we have nothing more to do than to avoid special mention of their lives or actions. For instance, in praising *Achilles*, as the whole world is acquainted with his achievements, we need only adduce his actions in gross, without entering into a recital of them. It would not be the same with respect to *Critias*, all whose actions should be particularized, as he is very little known*.

* Something has crept into the text, immediately after this, which is evidently remote from the methodical style of our author, who never repeats verbatim any of his former remarks. The addition concerns the address of an orator upon panegyric, which is totally irrelevant to the particular subject of narration, and is, besides, already contained in the 9th Chapter of the 1st Book.

In regard to the length of narration, some people are ridiculous enough to say, "that it ought of necessity to be short." Now, in my opinion, the same answer might be made to those as was once made by a certain man to his pastry-cook, when the latter, before kneading the paste, came to ask whether he should make it hard or soft. "What," said the master, "is it then a thing impossible to make good pastry?" It is the same in the present case; for a person should not dwell too long upon a narration, any more than upon an exordium or a proof. For doing a thing well, in such cases, does not precisely arise from the duration or abridgment of matter, but in observing a medium. Now this medium, as it affects the accuser, consists "either in omitting nothing which may throw a light upon the subject, or in making use of things which will impress an opinion that what is asserted has been really done;" or, "in showing that his adversary has hurt him, or done him an injustice in such a case;" and, finally, "in exaggerating the evil to the extent of our wishes." The defendant should employ the same method, with the exception of using the contrary assertions. What the orator should principally propose to him, and in narration, is, while speaking, to aim at things which might make it appear that he or his client is an honourable man; the adverse party corrupt and depraved. For instance;

"I have, gentlemen, done all in my power to compel him to what was just and consistent with his duty, incessantly remonstrating with him, that he ought not thus to abandon his offspring. But the sole answer which he made on this head was, that whatever part he had adopted, he should find it sufficient to have other children."

This is the reply, which, according to *Herodotus*, the *Egyptians* made to their king upon quitting *Egypt*, when they disclaimed obedience to him. It should likewise be our study to say such things as may be pleasing to our judges.

In matters of narration, the defendant should be more brief than the accuser; for, as it is the latter who lays down the fact, the former has nothing more to do than to dispute it, either by denying it absolutely, asserting that the thing has not been prejudicial, that there was no injustice in doing it, or that it was not so great an evil as is represented. If the fact be allowed, the defendant can only plead its not being unjust, &c.: for it would be irrelevant to dwell upon what was agreed upon.

A defendant, in his narration of a fact, should take care not to say any thing which excites compassion, or may irritate a judge. An instance of this may be found in *Ulysses'* recital of his adventures to *Alcinous*, which he did in detail, for the express purpose of moving that monarch's pity; but which same narration he reduced into the compass of thirty lines, when addressing it to *Penelope*,

in his own exculpation. This may also be instanced in the poem of *Phaëlus*, entitled the *Cirle*, as also in the prologue to *Euripides'* tragedy of *Aeneas*. Narrative should also convey an impression of the speaker's manners. This will happen, if we are acquainted with the effect which they have commonly produced. One of these effects, and which instantly makes known the manners of a person, upon hearing him speak, is, when, from his language, an opinion may be formed of the choice which he makes in regulating the conduct of his life. According as this choice differs, which may be known by the different ends which each lays down for himself, the manners also vary and differ. A mathematical discoverer does not possess this characteristic, as the choice of which I speak is not to be found in it; for we cannot see by that, what is the object or end which the mathematician proposes to himself in life.

In all the discourses of *Socrates*, this choice is remarkably prominent, as the philosopher constantly speaks of the object which each man, in this life, should keep in view. A knowledge of the speaker's manners may be also obtained, if he simply remarks those things which show the character, and are the results of each man's habits. For instance, "While he was thus speaking, he did not cease walking in continuation of his route." Such a peculiarity in any person shows a certain coarseness and rusticity of manner. We might

equally accomplish this object, if the speaker says a thing, not as proceeding from the reason which dictates its necessity, because it is useful, as all the orders of the present day do, but, as proceeding from inclination and self-choice; as thus; "For my part, gentlemen, it is all that I desired; and I dare to say, that, though there were nothing else for me to hope, I should not omit doing it." One part merely lets us know a man who reasons upon what he does, and looks to his own interests; whereas the other is peculiar to a good man, who acts from virtuous principles. If what the speaker, in such cases, says, seems contrary to appearance, and difficult of belief, a reason must be assigned for it. *Sophocles* furnishes us with an instance of this in his *Antigone*; for this princess, whom he supposes to have a tender affection for her brother, wishing to show that he ought to be dearer to her than her husband or her children, adds this reason, that though the latter may all die, yet she may have others in both relations.

"But as my parents slumber in their tomb,
For hopes of other brothers there's no room."

If a reason for this should be asked, it would be alone necessary to say, "I really know very well, that what I advance is extraordinary, and may seem incredible; but I am so constituted, and it is my natural disposition." But it will be again more necessary to say, "that one cannot willingly

believe how a person can do any thing of himself, and especially of such a nature, without looking for some advantage to be derived from it." It will also be proper to attend to the *pathetic* in narration, remarking the consequences of a passion, which the judges know, and which are either peculiar to ourselves, or to the adverse party; for instance:

"He left me, casting first his eyes askance."

Or, as *Æschines* represents *Cratylus*, "whistling and clapping his hands." Upon such circumstances, the judge may be led to persuasion, as he always draws, from those signs which are known to him, consequences and conjectures in respect to what he does not know. *Homer* is full of similar examples; for instance:

"She hid her weeping visage with her hands."

For, those who weep, commonly apply their hands to the eyes. We should, besides, make it our constant endeavour to give such an impression of ourselves or our clients, that it shall not be lost sight of by the judges. A great deal of skill is requisite to do this, without the artifice being perceptible. That it is no easy matter we may know, if we look to the bearers of news; for, from the beginning, by their countenance

rance is not the cause, as may be seen in a contested point of right, of justice, or its contrary. As nothing is so decisive in a cause as this same question, we should particularly dwell upon it, which is not permissible in other cases of dispute.

In demonstrative rhetoric, amplification is used instead of proof; and it is simply shown, that certain acts have been useful to the state, and glorious to those who achieved them. As in panegyric the subject is presumed to be true; for this reason, one rarely goes to proof, unless the thing be difficult of belief, or another has obtained the credit of it.

As for deliberative rhetoric, all its contested subjects tend towards the following assertions: "That what is advanced as in a necessary state of occurrence, will not take place;" "that it would be unjust;" "that it would return no advantage;" or, "that the advantage would be trifling." In this branch of the art, we should take care to remark, whether our adversary alleges any thing false in matters not within his subject; for, if once he can be convicted of falsity in such a case, it will be a ground for disbelieving all he has said. In general, with regard to proofs, examples are of great utility in deliberative rhetoric and more effectual in that, than in any other part. The enthymem is more peculiar to the proofs of judiciary rhetoric. The reason is, because in deliberation the subject regards the future, so that we must neces-

sarily recur to history for our proofs, and show, by examples of the past, that what is said has always been done in the same manner. Now, judiciary rhetoric stands in need of enthymems, because there the subject is matter of fact, and the question is to know, "whether a thing has or has not been done?" This is of far greater certainty than the former subject, and lies more in demonstration; for, the past time is of such a nature, that it carries with it a certain necessity, it being impossible that what has been done, has not existed.

If we use enthymems rightly, we must not collect them all into one series, but intermix them throughout the discourse. In any other case they would be injurious. We must also avoid bringing forward too many of them. Hence, *Homer* introduces *Menelaus* as having appropriately said as follows, in praise of the young *Pisistratus*:

"Since then, dear youth, you skilfully have told
What would not shame the learned or the old."

Odys. l. iv. 1

For, he praises *Nestor's* son as having said so much as, not such things as a judicious man would, in order to show, that even in saying nothing except what is good, a man may transgress by being excessive. Neither should enthymems be brought forward upon every occasion; for, if so, we shall incur the same fault with certain philo-

sophers of the present day, who amuse themselves in proving things which are much better known, and more probable than the matters which they bring in as proofs.

If our object be to affect any passion, we should avoid all kind of argument, as it would either obstruct or neutralize the effect of that passion; for, two motions are not compatible at the same time, as they either destroy or weaken each other. The same observation applies to manners, when we would impress a favourable opinion of ourselves; for, argument having nothing in common with them, cannot make known whether you are a good or a bad man.

Sentences may be equally used in narration, and in proof, because they point out the manners of the person who employs them; for instance, "I have not neglected giving him what he required of me, though I was well aware that it is not safe to place confidence in all descriptions of people." If we wish for an admixture of passion in order to express ourselves pathetically, we may add: "However, gentlemen, I do not repent, whatever the injury may be which it has done me; for, in fact, if the profit of it rests with him, I have at least the satisfaction of having done an honest man's duty."

We must not be surprised that the matter of deliberative is more difficult of discussion than that of judiciary rhetoric; since, in the former,

the subject relates to futurity, which we know to be shrouded in gloom; whereas, the latter simply applies to the past, which is so easy to be known, that the science of divination is principally built upon it, and this even with relation to what has been said by *Epimonides of Crete*. This person frankly confessed, that, in the predictions which he made, he never looked into the future, but the past; it was indeed true, that he did so in matters which were a little concealed from the knowledge of the greater part of mankind.

Judiciary rhetoric has this advantage, that the law serves as its basis. Now, whoever has a foundation and a principle will meet with no difficulty in arguing, nor in finding such proofs as he requires. Besides, such a license is not allowable in deliberative as in judiciary rhetoric, wherein, at one time, it is permissible to turn the discourse against the adverse party, at another to speak to one's own advantage, and at another to excite the judge's passions. Now, this is rarely the case in deliberation, in fact, much less than in any other description of rhetoric. Such liberties cannot be taken except the orator fails in a sufficiency of matter, as is now practised by the distinguished orators of *Athens*, particularly *Isocrates*; for, he never enters upon a subject of deliberation, without inveighing against, or accusing some body; at one time the *Lacedæmonians*; for instance, as in his *Panegyric*; and at another,

some individual, such as *Chares*, for example, in his oration *in favour of the allies*.

The digressions of demonstrative rhetoric ought to be frequent, for all panegyric is fond of enlarging itself by foreign praise. In this respect *Isocrates* is never deficient, for he has always some one to praise contrary to the hearer's expectation. This is also what was meant by the boast of *Gorgias*; namely, "that whatever might be the subject of his discourse, he was certain of not dwelling on it too briefly for want of matter." In fact, if he had to speak of *Achilles*, he immediately praises *Peleus*, then *Æacus*, and afterwards proceeds to *Jupiter*. He does the same thing, speaking of valour, or of any other subject, by the same successive introduction of matter.

If a man has good arguments and proofs, in order to intermix them, he should at one time aspire to the appearance of being an honourable man, and at another should return to his argument; If, however, he be defective in these, he must hold by the quality of a good man, and thereby give weight to his discourse, because it befits a good man more to show an appearance of such a quality than to produce the most finished discourse.

Of REFUTATION.

Of all enthymems, those which serve to refute, are, beyond comparison, superior to those

which serve in proof. The reason of this is, that whatever refutes, presses more with the force of reasoning, as there is nothing better known than contraries are, when opposed to each other. Whatever serves as a reply to our adversary, does not form a distinct species, but enters into the body of proof.

Refutation never takes place without bringing an objection, or opposing argument to argument. In matters of proof, whether of deliberation or bar-pleading, the first speaker should state his reasons from the very outset, and afterwards meet the objections which may be urged against him, by giving each its solution, and attempting to show that they are all vain and unfounded. If what is urged against us be embarrassing and tedious in the discussion, on account of having several adversaries, then we must anticipate the reply, as was done by *Callicrates* in the assembly of *Messenia*; for, he first overturned what was urged against him, and afterwards laid down his own reasons. The last speaker must always set out with refuting, by solutions and contrary arguments, particularly if he sees that what the preceding speaker said was well received, and made an impression.

In the same manner as the mind cannot endure a person who passes as infamous, and has been already accused of some crime, so it is with a discourse, when the adverse party has made his

reasoning palatable, and his assertions to be believed. In such cases then, we should endeavour to obtain a place in the hearer's mind, for the reception of what we say. This will happen if we remove the first impressions by which it has been pre-occupied; and which preclude the entrance of those reasons we wish to adduce. To this end we should combat either the entire of what has been said by the party, the principal matter, and that which is affecting, or most easily refuted; and afterwards allege our own reasons, which we should endeavour to render as probable as we can. Hence it has been said:

“Of the goddesses, first, I take up the defence
For, *Yuno* I honour——.”

This example is taken from the *Troades* of *Euripides*, when *Hecuba*, in the house of *Menelaus*, replies to *Helen's* reasoning; for, she begins, by what is weakest, to refute her opponent's observations. So far for proof.

As there are certain things which one cannot say without being laid open to envy, without fatigue, or without being liable to contradiction; as also, in speaking of another, we may hazard some blame, and incur the epithet of impertinent; on such occasions it will be of use to introduce some one, who should act, in this respect, for us, as *Isocrates* has done, in the oration he sent to

Philip, and also in another, entitled "The Remuneration" (*Αντίδοσις*). Again, *Archilochus*, speaking ill of *Lycambus*' daughter, introduces her father, as saying thus :

" It is nought but what I should expect,
And nothing but what one might swear."

This author also does the same in another place, under the name of a certain artisan called *Caron*. The piece begins thus :

" I have neither the wealth nor possessions of *Gyges*."

Sophocles in like manner uses it, where he represents *Æmon* pleading in behalf of *Antigone*, with her father ; he puts several things into his mouth, as if others had said them and not himself.

The last observation to be made respecting proof, is, the necessity of disguising one's arguments so as that, of an enthymem, we might sometimes make a sentence. For example, it would be a pure sentence to say :

" No good politician ought to delay making a peace, when he has obtained an advantage over his enemies, because it is only the manner of assuring his conquests, and making much better conditions for himself." In an argumentative form, it might thus be expressed :

" If the true period for concluding peace with an enemy, is when the conditions should be most

useful, and most glorious to the state, it undoubtedly is the time when we have an advantage over him, and when he is constrained to receive what we wish to impose."

CHAP. XVIII.

Of INTERROGATION.

The true period for making use of this, is when, of two things, one of which is admitted by our adversary, you cannot put a question respecting the other, without an absurdity following from the answer. Thus it was used by *Pericles*, when he questioned *Lampon* upon what passed at the mysteries of *Ceres*, who is also called the "Salutary Goddess." The latter having replied, "That it was not a thing to be revealed to the whole world, and, if he would know it, that he must be initiated;" *Pericles* again asked, "whether he himself knew what passed there?" and the other replying in the affirmative, *Pericles* added, "And how could you, who are as little initiated as I am, know it?"

Secondly, interrogation may be used, when, of two propositions, one is clear, and the other of

such a quality as to leave no room for doubting the adverse party's contradiction of it if questioned. We must, however, observe the precaution of laying aside that which is self-clear, questioning only upon the other, and passing straight forward to the conclusion, as *Socrates* did in his apology or defence, when *Melitus* contended, "That he was an impious wretch who did not believe in the gods." "What!" said *Socrates*, "do I not at least acknowledge that there is some spiritual nature superior to man, and that there exists some particular demon?" *Melitus* being obliged to grant this, because *Socrates* had frequently made known that he had a certain *demon* or good genius, who took charge of his conduct, and forewarned him of what was necessary for him to do; *Socrates* immediately put this question: "Is it not necessary that such spiritual essences, and such demons, be either the offspring of the gods, or something divine?" This also his opponent conceded. *Socrates* then passed on to this conclusion; "What say you, *Melitus*? Can you imagine there are persons who believe in the existence of children of the gods, and yet conceive that there are no gods?" It will be also of use to employ interrogation, when, in reply to the adverse party, one can show either that he contradicts what he before asserted, or that he advances a thing which is incredible, and repugnant to common sense. Interrogation will also

strongly apply when the opposite party, not being able to answer our question fully, will make a captious and sophistical answer ; for instance, if he should answer thus : “ Without doubt there is some foundation for what you say, and yet it is not true. In part the thing is, and in part it is not. In one sense, it may be maintained, but not in another.” Such a reply would very much prejudice a judge. Except on those four occasions, interrogation is perfectly useless.

We should not put several interrogatories in one continued series, on account of the consideration which it is necessary to pay to the hearer's incapacity ; and hence the necessity of an argumentative summary, in preference to a detail. As to the *manner of answering an interrogatory*, if that which is put to us be captious, or includes a double meaning, we must make use of distinction, not so briefly, however, as not to be understood. But if the interrogatory which is put, compel us to utter things in appearance contradictory, the remedy lies in applying a solution of the question at the same time with its answer, before the opposite party has sufficient leisure to follow up his interrogatories, or to draw any conclusion to our disadvantage. The only difficulty in doing so will consist in foreseeing the reason we should adduce. This entire matter, as well as what concerns *solutions*, has been already fully, em-

braced in our *Topics*; but if the interrogator draw any conclusion from our answer, which he embodies in form of another question put to us, we have only to comply with his demand: at the same time assigning the reason wherefore; as *Sophocles* did in regard to *Pisander*, when the latter questioned him thus:

“Whether it had not been his opinion, in concurrence with some others, that a change should take place in the government of his state, and that the *four hundred* should be restored to power?” *Sophocles* granted this. “Well then,” added *Pisander*, “did you not know that such an opinion was wrong?”—“I confess it,” replied *Sophocles*. “So then,” said the other, “you acknowledge that you knew you were doing wrong?”—“Yes,” answered *Sophocles*; “but I did not see any thing better which could be done at the time.” Another example occurs, in the case of the *Lacedemonian* who rendered an account of his administration as one of the magistrates called *Ephori*; for being forced to answer upon a certain decree, to which he had given his assent, and on account of which his fellow-magistrates had been put to death, the following question was asked him: “If he did not think their punishment was merited?” He answered in the affirmative. “Did he not coincide with those men as to the passing of that decree, and had it not his consent?” This he

allowed to be true. "Well then, did he not believe that justice equally demanded his death?"—"By no means," he replied; "for his fellows acted from bribery and corrupt motives, whereas, he had given his fair and uninfluenced judgment upon the matter." Hence, it is clear, that a question ought not to be put after a conclusion has been drawn; as, also, that a conclusion ought not to be altered into a form of interrogatory, unless we place great dependence upon the certainty of the thing, and there remains sufficient truth to produce conviction in the mind of the person questioned.

Of RIDICULE.

This may be of use in contested subjects; for, as *Gorgias* has well observed, "it is sometimes advantageous to turn the serious reasoning of an adversary into jest, and his jest into earnest." In our *Poetics* we have amply spoken of *ridicule*, and its several species, and have also shown, that there is a certain kind of raillery which is befitting a man of propriety, as well as another kind which is unworthy of him. To that part of my work I shall refer the reader for matter applicable to this subject. There is this difference between *irony* and *buffoonery*, that the former savours somewhat of propriety, as the

man of raillery applies ridicule only for his own ends, or diversion, whereas the jester and buffoon employ it to excite laughter in others.

CHAP. XIX.

Of PERORATION.

For the composition of this, there are four requisites:

1. That we ourselves should stand well in the mind of the judge, while we produce a contrary disposition towards our adversary.
2. To strengthen or weaken the reasoning alleged on either side.
3. To excite the feeling of some passion in the judge. And,
4. To awaken his recollection of what has been said.

After showing the truth of our own assertions, or the fallacy of our adversary's, there is nothing more natural than to triumph ourselves, and insult our adversary; in a word, to use the artisan's phrase, to give our work a finishing touch.

In order to operate a favourable opinion of

ourselves in the judges' mind, we should either endeavour to attain their consideration of us as persons absolutely good, or so only with respect to them, and vice versâ, of our adversary. For this purpose, I refer to the places proper for inducing the appearance of virtue or its contrary, which we have heretofore laid down. Next after this consideration, and pre-supposing that the case is proved, it is natural to enlarge the importance of one's own reasons, and to vilify those of the adverse party. This could not, however, be done, if the matter were not previously clear, as bodies cannot increase in growth if they have not previous existence. We have, also, assigned an express place for the attainment of this object.

Having demonstrated the truth and important quality of our assertions to the judge, the next aim is the excitement of some passion in his breast, such as pity, indignation, anger, hatred, envy, emulation, &c.; for which, in like manner, we have assigned appropriate places.

The only remaining object is *recapitulation*, and a summary of our reasoning, for the purpose of refreshing the memory. This may be done upon the principles which some teach with respect to *exordium*, though the latter differs in its local situation. Those persons urge the necessity of a *primary* recapitulation, in order that the judge

may be better acquainted with the subject which they enforce by frequent repetition; but, I say, that the orator is obliged to make an exposition of the fact at first, merely that the judge should not be ignorant of the subject, nor of the matter upon which he is to decide. Now, recapitulation is alone necessary to aid the judge's recollection, and to give him, in brief, a view of what was said in detail.

A recapitulation may be thus commenced: "I believe that hitherto I have fulfilled my promise; and it now only remains for me to show, that I have said certain things for certain reasons." Another method might also be adopted, namely, the comparison of our own assertions with those of our adversary. This may be done in two ways; either by taking and opposing to each other all things which were said for and against, or by a recital of the whole without opposition; thus: "Such and such things have been asserted on this head by the adverse party; now, I have made such an assertion for a certain reason."

Irony might also be introduced into this method; for instance: "It certainly cannot be denied that the adverse party has thoroughly proved his allegation, when he has adduced such matters in support of his reasoning; for my part, I have said such things as I have in a simple manner." Or, "I request to know what the

opposite party would do, if he had shown such and such a thing, instead of what he has brought forward?" Or again, in form of interrogatory: "Now, what is there which I have not made appear, and what proofs can be added to those I have already given?" Or, in speaking of our adversary, "In all that he has said, what has he proved?" These are the modes of recapitulation; but we must finally observe, that it will be necessary to avoid conjunctions, in order that the judge may perceive that the discourse is not to be of long continuation; as for example: "I have assigned my reasons, you have heard them, you are acquainted with the subject, it is for you now to pronounce your judgment and decision thereon."

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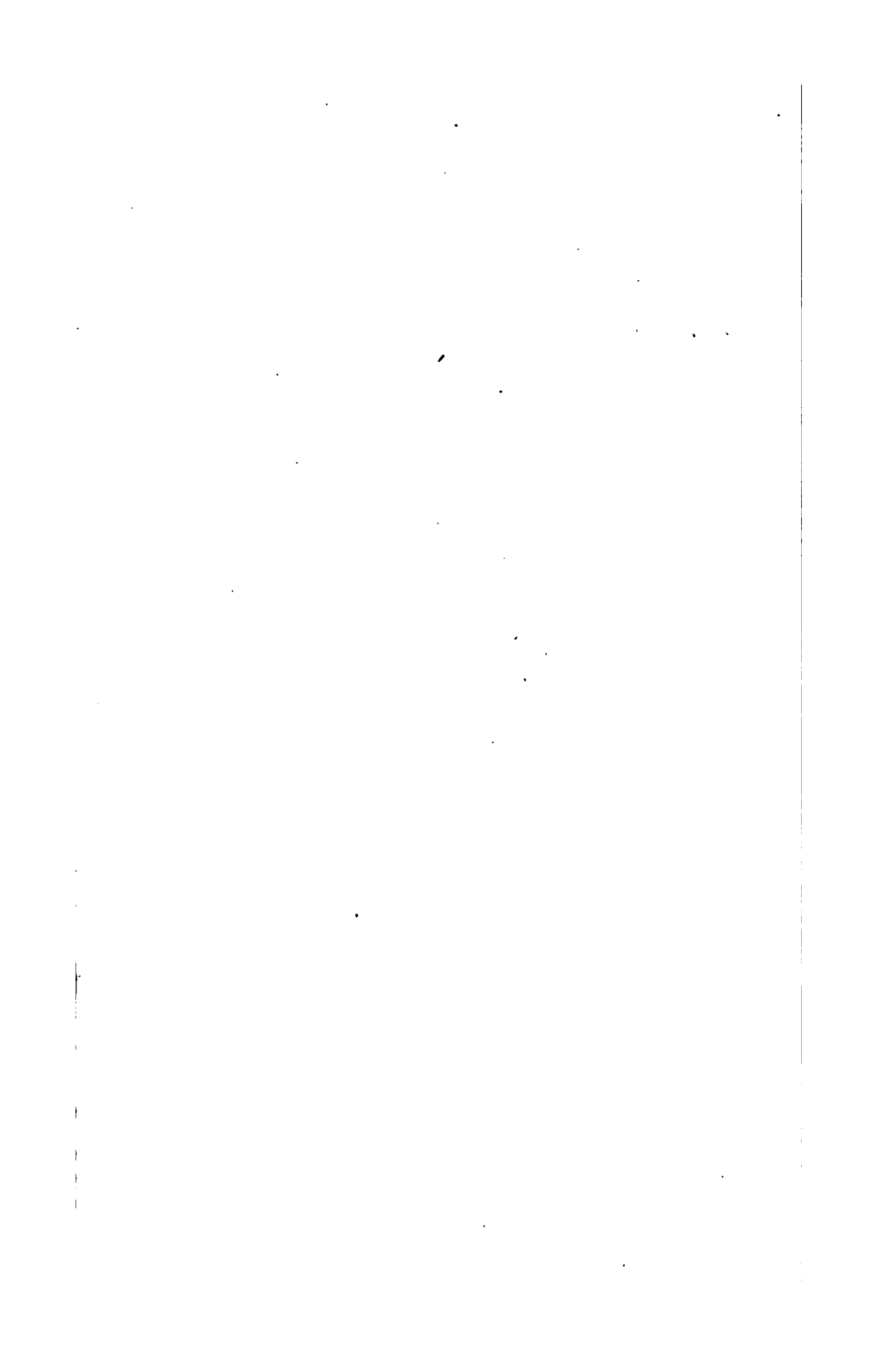
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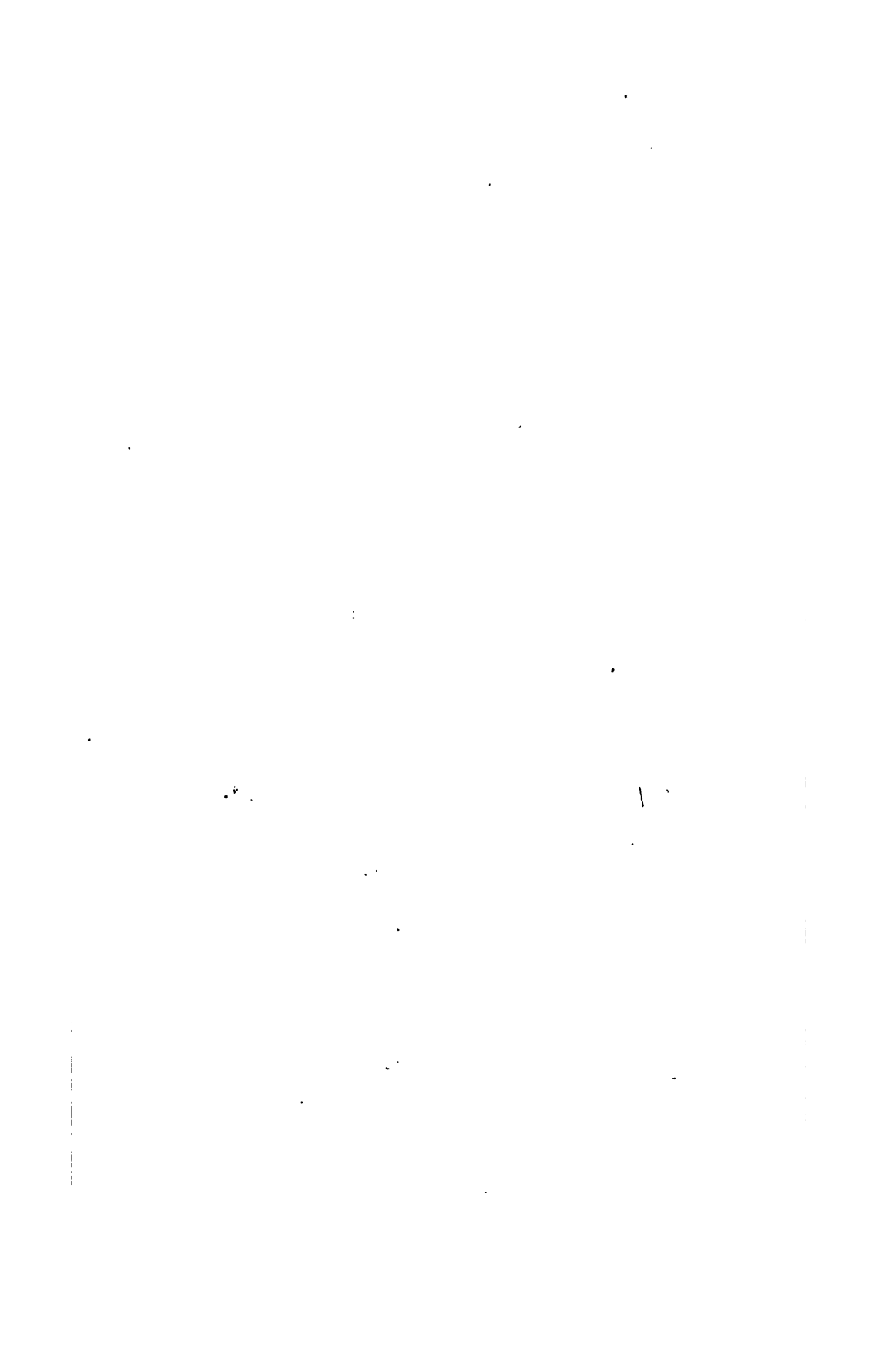
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